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SESSIONAL PAPERS

VOL. XXXI.—PART X.

FIRST AND SECOND SESSIONS,

NINTH LEGISLATURE

OF THE

PROVINCE OF ONTARIO.

SESSIONS 1898-9.

TORONTO:
PRINTED FOR L. K. CAMERON, QUEEN'S PRINTER,
BY WARWICK BRO'S & RUTTER, 68 AND 70 FRONT ST. WEST.
1899.

Title.	No.	Remarks.
Game and Fish Commission, Report	33	*Printed.*
Gaols, Prisons and Reformatories, Report	12	"
Grant Examination Papers	69	*Not printed.*
Health, Board of, Report	39	*Printed.*
Hospitals, Report	14	"
Immigration, Report	6	*Printed.*
Industries, Bureau of, Report	37	"
Insurance, Report	10	"
Judicature Act, Judges fees under	53, 54	*Not printed.*
Legal Offices, Report	31	*Printed.*
Librarian, Report on state of Library	51	*Not printed.*
Lincoln License Inspector	64	"
Lindsay Police Magistrate	67	"
Loan Corporations, Report	40	*Printed.*
London Normal School	56	*Not printed.*
Live Stock Associations, Report	28	*Printed.*
McCrea, Hiram Augustus	57	*Not printed.*
Marmora, Miller's Report *re* gold	68	"
Michipicoten Mining Division	49	"
Mines, Report	38	*Printed.*
Mining Divisions, regulations	47	*Not printed.*
" amended regulations	48	"
" Michipicoten	49	"
Municipal Auditor, Provincial, Report	41	*Printed.*
Ontario County, cases in Court of	77	*Not printed.*
Ontario Gold Concessions, Report	80	*Printed.*
Police Magistrates, names of	76	*Not printed.*
Poultry Associations, Report	25	*Printed.*
Printing Paper Contract	61	*Not printed.*
" papers and correspondence	65	"
Provincial Municipal Auditor, Report	41	*Printed.*
Public Accounts	3	"
Public Works, Report	9	"
Queen Victoria Niagara Falls Park, Report	34	*Printed.*

Title.	No.	Remarks.
Railway Aid, correspondence and papers	78	*Printed.*
Refuge, Houses of, Report	13	"
Registrar Generals Report	32	"
Registrars, fees of	75	*Not printed.*
Road-making, Report	26	*Printed.*
Rope Manufacture	58	*Not printed.*
Saw-logs, cut of in 1897-98	62	*Not printed.*
Secretary and Registrar, Report	79	*Printed.*
Spraying, Report on	22	"
Statute distribution	55	*Not printed.*
Stunden, Alfred, fees of	72	"
Sturgeon Falls Pulp Co'y. Agreement	74	*Printed.*
Surrogate Court, fees to Judges	53	*Not printed.*
" "	54	"
Tavern and Shop Licenses, Report	8	*Printed.*
Timber berths sold since March, 1898	63	*Not printed.*
Titles, Master of, Report	59	"
Toronto University, Reports	50	*Printed.*
Upper Canada College, Hodgsons Report	42	*Not printed.*
" appointments	43	"
" Principals Report	60	*Printed.*
Water Powers, regulations	45	*Not printed.*
Waterloo House of Refuge, Report	52	"

LIST OF SESSIONAL PAPERS.

Arranged in Numerical Order with their titles at full length; the dates when Ordered and when presented to the Legislature; the name of the Member who moved the same, and whether Ordered to be Printed or not.

CONTENTS PART I.

No. 1.. Return from the Records of the General Election to the Legislative Assembly in 1898, shewing: (1) The number of Votes polled for each Candidate in each Electoral District in which there was a contest. (2) The majority whereby each successful Candidate was returned. (3) The total number of Votes polled in each District. (4) The number of Votes remaining unpolled. (5) The number of names on the Voters' List in each District. (6) The population of each District as shown by the last Census. Presented to the Legislature, 3rd August 1898, and also:—Return from the Records since the General Election to the Legislative Assembly in 1898, shewing:—(1) The number of Votes polled for each Candidate in each Electoral District in which there was a contest. (2) The majority whereby each successful Candidate was returned. (3) The total number of Votes polled in each District. (4) The number of Votes remaining unpolled. (5) The number of names on the Voters' List in each District. (6) The population of each District as shown by the last Census. Presented to the Legislature, 1st February 1899. *Printed.*

No. 2.. Report of the Minister of Education for the year 1898, with the Statistics of 1897. Presented to the Legislature 3rd March, 1899. *Printed.*

CONTENTS PART II.

No. 3.. Public Accounts of the Province for the year 1898. Presented to the Legislature 8th February, 1899. *Printed.*

No. 4.. Estimates for the year 1899. Presented to the Legislature 8th February 1899. *Printed.* Estimates (supplementary) for the year 1899. Presented to the Legislature 30th March, 1899. *Printed.*

No. 5.. Report of the Commissioner of Crown Lands for the year 1898. Presented to the Legislature 22nd March, 1899. *Printed.*

CONTENTS PART III.

No. 6.. Report of the Department of Immigration for the year 1898. Presented to the Legislature 17th March, 1899. *Printed.*

No. 7.. Report of the Inspector of Division Courts for the year 1898. Presented to the Legislature 23rd February, 1899. *Printed.*

No. 8.. Report on the working of the Tavern and Shop Licenses Acts for the year 1898. Presented to the Legislature 15th February, 1899. *Printed.*

No. 9.. Report of the Commissioner of Public Works for the year 1898. Presented to the Legislature 23rd February, 1899. *Printed.*

No. 10.. Report of the Inspector of Insurance and Registrar of Friendly Societies for the year 1898. Presented to the Legislature 27th February, 1899. *Printed.*

CONTENTS PART IV.

No. 11.. Report upon the Lunatic and Idiot Asylums for the Province for the year ending 30th September, 1898. Presented to the Legislature 23rd February, 1899. *Printed.*

No. 12.. Report upon the Common Gaols, Prisons and Reformatories of the Province for the year ending 30th September, 1898. Presented to the Legislature 17th March, 1899. *Printed.*

No. 13.. Report upon the Houses of Refuge and Orphan and Magdalen Asylums of the Province for the year ending 30th September, 1898. Presented to the Legislature 29th March, 1899. *Printed.*

No. 14. Report upon the Hospitals of the Province for the year ending the 30th September, 1898. Presented to the Legislature 27th March, 1899. *Printed.*

No. 15.. Report upon the Institution for the Education of the Blind, Brantford, for the year ending 30th September, 1898. Presented to the Legislature 8th February, 1899. *Printed.*

No. 16.. Report upon the Institution for the Education of the Deaf and Dumb, Belleville, for the year ending 30th September, 1898. Presented to the Legislature 8th February, 1899. *Printed.*

No. 17.. Report of the Work under the Children's Protection Act for the year 1898. Presented to the Legislature 23rd February, 1899. *Printed.*

CONTENTS PART V.

No. 18.. Report of the Ontario Agricultural College and Experimental Farm for the year 1898. Presented to the Legislature 14th March, 1899. *Printed.*

No. 19.. Report of the Agricultural and Experimental Union of Ontario for the year 1898. Presented to the Legislature 22nd March, 1899. *Printed.*

No. 20.. Report of the Fruit Growers' Association of Ontario for the year 1898. Presented to the Legislature 22nd March, 1899. *Printed.*

No. 21.. Report of the Fruit Experiment Stations of Ontario for the year 1898. Presented to the Legislature 22nd March, 1899. *Printed.*

No. 22.. Report of the Superintendent of Spraying for the year 1898. Presented to the Legislature 17th March, 1899. *Printed.*

No. 23.. Report of the Entomological Society of Ontario for the year 1898. Presented to the Legislature 22nd March, 1899. *Printed.*

No. 24.. Report of the Bee Keepers' Association for the Province for the year 1898. Presented to the Legislature 22nd March, 1899. *Printed.*

No. 25.. Report of the Poultry and Pet Stock Association of the Province for the year 1898. Presented to the Legislature 22nd March, 1899 *Printed.*

CONTENTS PART VI

No. 26.. Report of the Provincial Instructor in Road Making in Ontario for the year 1898. Presented to the Legislature 22nd March, 1899. *Printed.*

No. 27.. Report of the Butter and Cheese Associations of the Province for the year 1898. Presented to the Legislature 22nd March, 1899. *Printed.*

No. 28.. Report of the Live Stock Associations of the Province for the year 1898. Presented to the Legislature 22nd March, 1899. *Printed.*

No. 29.. Report of the Superintendent of Farmers' Institutes of the Province for for the year 1898. Presented to the Legislature 22nd March, 1899. *Printed.*

CONTENTS PART VII.

No. 30.. Report of the Inspectors of Factories for the Province for the year 1898. Presented to the Legislature 22nd March, 1899. *Printed.*

No. 31.. Report of the Inspector of Legal Offices for the year 1898. Presented to the Legislature 10th March, 1899. *Printed.*

No. 32.. Report upon the Registration of Births, Marriages and Deaths in the Province for the year 1897. Presented to the Legislature 27th February, 1899. *Printed.*

No. 33.. Report of the Ontario Game and Fish Commission. Presented to the Legislature 17th March, 1899. *Printed.*

No. 34.. Report of the Commissioners for the Queen Victoria Niagara Falls Park for the year 1898. Presented to the Legislature 24th February, 1899. *Printed.*

No. 35.. Report of the Royal Commission on Forest Protection and Perpetuation in Ontario, 1898. Presented to the Legislature 25th March, 1899. *Printed.*

No. 36. Analysis of Reports of Agricultural and Horticultural Societies of Ontario for the year 1897. Presented to the Legislature 22nd March, 1899. *Printed.*

CONTENTS PART VIII.

No. 37.. Report of the Bureau of Industries for the year 1898. Presented to the Legislature 22nd March, 1898. *Printed.*

No. 38.. Report of the Bureau of Mines for the year 1898. Presented to the Legislature 29th March, 1899. *Printed.*

No. 39.. Report of the Board of Health for the year 1898. Presented to the Legislature 28th February, 1899. *Printed.*

CONTENTS PART IX.

No. 40.. Report of the Financial Statements made by Loan Corporations for the year 1898. Presented to the Legislature 29th March, 1899. *Printed.*

No. 41.. Report of the Provincial Municipal Auditor for the year 1898. Presented to the Legislature 20th February, 1899. *Printed.*

CONTENTS PART X.

No. 42.. Report of Mr. Inspector Hodgson regarding Upper Canada College. Presented to the Legislature 10th August, 1898. *Not printed.*

No. 43.. Copy of Order in Council approving of certain appointments on the Staff of Upper Canada College. Presented to the Legislature 10th August, 1898. *Not printed.*

No. 44.. Copy of Minutes of the Department of Education approving of certain Regulations. Presented to the Legislature 10th August, 1898. *Not printed.*

No. 45.. Copy of an Order in Council approving of Regulations governing the disposal of Water Powers. Presented to the Legislature, 19th August 1898. *Not printed.*

No. 46.. Copy of an Order in Council respecting the terms and conditions governing the lease of Corundum Lands. Presented to the Legislature 19th August, 1898. *Not printed.*

No. 47.. Copy of an Order in Council approving of Regulations for Mining Divisions. Presented to the Legislature, 24th August, 1898. *Not printed.*

No. 48... Copy of an Order in Council approving of certain amendments to the Regulations for Mining Divisions. Presented to the Legislature, 24th August, 1898. *Not printed.*

No. 49.. Copy of an Order in Council establishing the Michipicoten Mining Division. Presented to the Legislature, 24th August, 1898. *Not printed.*

No. 50.. Reports relating to Toronto University. Presented to the Legislature, 2nd March, 1899. *Printed.*

No. 51.. Report of the Librarian on the state of the Legislative Library. Presented to the Legislature, 2nd February, 1899. *Not printed.*

No. 52.. Report of the Inspector of the House of Refuge, County of Waterloo. Presented to the Legislature, 8th February, 1899. *Not printed.*

No. 53.. Copy of Order in Council respecting the payment of surplus Surrogate Court Fees to Judge Jamieson. Presented to the Legislature, 8th February, 1899. *Not printed.*

No. 54.. Copies of Orders in Council commuting Surrogate Court Fees of Judges Huges, Barron, Elliott, Doyle, Monck and Mosgrove. Presented to the Legislature, 8th February, 1899. *Not printed.*

No. 55.. Statement as to the disposal of the Sessional and Revised Statutes of Ontario. Presented to the Legislature, 8th February, 1899. *Not printed.*

No. 56.. Return to an Address to His Honour the Lieutenant-Governor of the tenth day of August, 1898, praying that he will cause to be laid before this House a Return of copies of all Orders in Council, correspondence and other documents relating to the deciding upon, and purchase of a site in the City of London for the proposed Normal School. Presented to the Legislature, 14th February, 1899. Mr. *Hodgens.* *Not printed.*

No. 57.. Return to an Order of the House of the seventeenth day of August, 1898, for a Return of copies of all correspondence and papers relating to, or connected with, the confinement of Hiram Augustus McCrea in the Asylums at Kingston amd Brockville, and his release therefrom. Presented to the Legislature, 17th February, 1899. Mr. *Beatty (Leeds.)* *Not printed.*

No. 58.. Copy of an Agreement between the Inspector of Prisons and Public Charities and the Independent Cordage Company of Ontario (Limited), respecting the manufacture of Rope at the Central Prison, Toronto. Presented to the Legislature, 20th February, 1899. *Not printed.*

No. 59.. Report of the Master of Titles for the year 1898. Presented to the Legislature, 23rd March, 1899. *Not printed.*

No. 60.. Report of the Principal of Upper Canada College for the year ending 30th June, 1898, and statements shewing receipts and disbursements for the same period. Presented to the Legislature, 23rd February, 1899. *Printed.*

No. 61.. Copy of Contract, between Her Majesty the Queen and the Riordan Paper Company, for the supply of printing paper required by the Government of the Province of Ontario. Presented to the Legislature, 23rd February, 1899. *Not printed.*

No. 62.. Return to an Order of the House of the seventeenth day of August, 1898, for a Return showing the number of saw-logs cut during the winter of 1897-1898 on the limits of the Georgian Bay and on Lakes Huron and Superior, which were driven to either of said lakes; the quantity cut in Provincial mills, and the quantity of exported uncut. Presented to the Legislature, 23rd February, 1899. Mr. *Beatty* (*Leeds.*) *Not printed.*

No. 63.. Return to an Order of the House of the twenty fourth day of August, 1898, for a Return of copies of all correspondence between any member of the Government or representative thereof, and any party or parties, respecting the purchase of any timber berth that may have been sold since March 1st, 1898. Presented to the Legislature, 28th February, 1899. Mr. *Wardell.* *Not printed.*

No. 64.. Return to an Order of the House of the twenty-second day of February, 1899, for a Return of copies of all correspondence between any member of the Government and the License Inspector for the County of Lincoln, and any other person or persons, referring to or respecting the alleged connection of the Inspector with the business of cigar manufacture. Presented to the Legislature, 28th February, 1899. Mr. *Jessop.* *Not printed.*

No. 65.. Return to an Order of the House of the seventeenth day of February, 1899, for a Return of copies of all papers and documents in relation to the proposed contract for public printing, including specifications, tenders and a comparative statement shewing the different tenders for each item of the specification and the estimate of quantities required. Also, the total estimated amount of each tender. Also, of copies of all correspondence, if any, between the Queen's Printer and the heads of Departments as to preparation of specifications for contract for public printing. Also, of all reports, if any, of expert printers as to details of said specifications and also of all other correspondence appertaining thereto, or to the letting of the contract or conditions required from the contractor. Presented to the Legislature, 3rd March, 1899. Mr. *Matheson.* *Not printed.*

No. 66.. Return to an Order of the House of the twenty-sixth day of February, 1897, for a Return giving the names of all High School Teachers who have received Specialists' Certificates since 1885 as the result of examinations. The names of such teachers who received Specialists' Certificates on any other ground, stating the year in

which such certificate was granted, on what grounds, and the University standing of the recipient. Names of all applicants for such certificates who have been refused them, and on what grounds such refusal was based. Presented to the Legislature, 9th March, 1899. Mr. *Matheson*. *Printed.*

No. 67.. Return to an Order of the House of the twenty-seventh day of February 1899, for a Return of copies of all correspondence between the Government or any member thereof, and the Corporation of the Town of Lindsay, with reference to the appointment of a Police Magistrate and the salary to be paid him. Also, copy of Order in Council appointing Police Magistrate at Lindsay. Presented to the Legislature, 9th March, 1899. Mr. *Fox*. *Not printed.*

No. 68.. Return to an Order of the House of the eighth day of March, 1899, for a Return of a copy of Miller's Report as to discovery of gold in the Township of Marmora, the same to be brought down during the present Session. Presented to the Legislature, 10th March, 1899. Mr. *McLaughlin*. *Not printed.*

No. 69.. Return to an Order of the House of the fifteenth day of December, 1897, for a Return of copies of all correspondence between the Minister of Education, or any official in the Department and Mr. Stewart of Glencoe, or any other person, in reference to the case of C. C. Grant of St. Thomas, who was charged with having obtained copies of the examination papers before the Matriculation Examination in 1896. Presented to the Legislature, 13th March, 1899. Mr. *Brower*. *Not printed.*

No. 70.. Return to an Order of the House of the sixth day of March, 1899, for a Return giving the number of circular letters, sent from the office of the Chief Game Warden, soliciting answers to a series of questions as to shooting deer while in the water. The names, addresses, occupations or professions of those to whom such circulars were addressed. Also, shewing the amount of money received from the sale of permits to kill deer during the season of 1898. Also, shewing balance left after paying salaries of Game Wardens, all expenses of offices and all moneys paid to or on behalf of Game and Fish Commissioners during the year 1898, in so far as the information is not contained in the Report of the Department. Presented to the Legislature, 21st March, 1899. Mr. *Pyne*. *Not printed.*

No. 71.. Return to an Order of the House of the sixth day of March, 1899, for a Return, giving the names, addresses, occupations or professions of all persons to whom permits were granted, during the year 1898 to collect birds, birds nests and eggs under provisions of the Act of 1889 for the protection of insectivorous and other birds. Also, of renewals and new permits which have been granted during the current year. Also, shewing number of convictions for violations of the Act during the year 1898, and specifying localities. Presented to the Legislature, 21st March, 1899. Mr. *Pyne*. *Not printed.*

No. 72.. Return to an Order of the House of the sixth day of March, 1899, for a Return, shewing all fees paid to Alfred Stunden, a constable of the Town of Bracebridge, in connection with the enforcement of the Game Laws of the Province. Presented to the Legislature, 21st March, 1899. Mr. *Reid* (*Addington.*) *Not printed.*

No. 73.. Report of the Clerk of Forestry for the year 1898. Presented to the Legislature, 25th March, 1899. *Printed.*

No. 74.. Copy of Agreement between Her Majesty the Queen and the Sturgeon Falls Pulp Company, Limited. Presented to the Legislature, 25th March, 1899. *Printed.*

No. 75.. Return shewing the Fees and Emoluments of the Registrars of Deeds of the Province for the year 1898, with which are contrasted receipts of the same nature in the years 1896 and 1897. Presented to the Legislature, 27th March, 1899. *Not printed.*

No. 76.. Return to an Order of the House of the eighth day of March, 1899, for a Return, shewing the number of Police Magistrates in Ontario, their names, residences, dates of appointment and territory over which they have jurisdiction, and shewing as well their respective salaries. Presented to the Legislature, 27th March, 1899. Mr. *Fox.* *Not printed.*

No. 77.. Return to an Order of the House of the ninth day of March, 1899, for a Return shewing the number of cases entered in the County Court of the County of Ontario for the past five years; the amount of money collected through the Sheriff during the same period and shewing as well the number of cases entered in the Division Court of the same County during the past five years, and the amount of money collected in the Court during the same period. Also, shewing the number of cases that went to trial in each Court respectively. Together with a statement of the number of cases heard or tried in the County Judges Criminal Court, the number of days in which the County Judge was engaged in revising voter's lists, in attending board of audit criminal justice accounts, the selection of jurors, and in the performance of duties under the Overholding Tenants Act and in the performance of other duties imposed upon him by law during the said period Presented to the Legislature, 27th March, 1899. Mr. *Hoyle* and *Attorney-General.* *Not printed.*

No. 78.. Correspondence and general information in respect of the application for grants of public money in aid of the construction of certain portions of the Central Counties Railway, the Central Ontario Railway, the Haliburton, Whitney and Mattawa Railway, the Irondale, Bancroft and Ottawa Railway, the James' Bay Railway, the Ontario, Belmont and Northern Railway, the Ontario and Rainy River Railway, and the Ontario, Hudson's Bay and Western Railway. Presented to the Legislature, 29th March, 1899. *Printed.*

.. Report of the Secretary and Registrar of the Province for the year 1898. Presented to the Legislature, 29th March, 1899. *Printed.*

No. 80.. Report on the operations of the Ontario Gold Concessions, Limited. Presented to the Legislature, 29th March, 1899. *Printed.*

No. 81.. Report of the Attorney-General upon the indebtedness of the Townships of Dunwich and Aldborough in respect of certain drainage works. Presented to the Legislature, 31st March, 1899. *Not printed.*

(No. 42).

Report of Mr. Inspector Hodgson regarding Upper Canada College. Presented to the Legislature 10th August, 1898. *Not printed.*

(No. 43).

Copy of Order in Council approving of certain appointments on the Staff of Upper Canada College. Presented to the Legislature 10th August, 1898 *Not printed.*

(No. 44).

Copy of Minutes of the Department of Education approving of certain Regulations. Presented to the Legislature 10th August, 1898. *Not printed*

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Copy of an Order in Council approving of Regulations governing the disposal of Water Powers. Presented to the Legislature, 19th August, 1898. *Not printed.*

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(No. 49).

Copy of an Order in Council establishing the Michipicoten Mining Division Presented to the Legislature, 24th August, 1898. *Not printed.*

UNIVERSITY OF TORONTO.

AUDITOR'S REPORT

TO THE

BOARD OF TRUSTEES

ON

CAPITAL AND INCOME ACCOUNTS

FOR THE

YEAR ENDING 30TH JUNE, 1898.

ADOPTED 26TH OCTOBER, 1898.

TORONTO:
WARWICK BRO'S & RUTTER, PRINTERS, &c., 68 AND 70 FRONT STREET WEST.
1898.

AUDITOR'S REPORT.

TORONTO, 1st September, 1898.

To the Trustees of the University of Toronto:

GENTLEMEN,—Herewith I beg to present, duly audited, the financial statement for the year ending 30th June, 1898.

Your Committee estimated a deficit of $6,020.28 for the year, but entertained the hope that receipts from the sale of wild lands, recently granted, would reduce this deficit. The receipts from the latter source yielded $748 24 for the year, leaving the actual shortage upon 1897 8 revenue account $6,088.82. That the shortage exceeds the estimate to so small an extent is due to economies in various directions, which have offset continuous shrinkages in income.

The investment of $83,000 odd in debentures during the past year yields three and three-fifths per cent per annum, the lowest point yet reached, and as these are long term bonds, the shrinkage is permanent.

The registration fee for the past year increased from thirty to thirty-six dollars was expected to yield $2,500 additional income. There was, however, a falling off in the number of those registered, and thus, for the first time in recent years the fees received have fallen short of the estimate.

I regret to say that the full amount of the shortage does not appear. The cost ($6,669.15) of the Adelaide street asphalt pavement thus far paid for by you has been charged to capital. You have also added to capital $7,225.85 as interest upon advances to the trustees of Upper Canada College under the order in council, whilst the receipts from the block have gone to revenue. If land values were not in so depressed a condition, the latter treatment would perhaps be sound, but the pavement charge should certainly be carried to revenue, spread over a term of years covering the life of the pavement. Similarly the pavement outlays for Hoskin avenue and Devonshire place ($11,248.29) have also been added to the capital value of the property. I am aware that such treatment would still further overdraw an account already overdrawn to the extent of $15,606.10, and as your investments yield less and less each year, and as increases in fees cannot be relied upon as a source of income, it is plain that additional income from some source is absolutely necessary.

It may be useful to put before you a business aspect of the cost of University education. In order to state the extent to which the Crown and the student respectively contribute, the University is assumed to be made self-supporting thus:

1897-8 appropriations (including interest and other charges unconnected with education; about covered by the cost of library maintenance, not this year made a charge upon revenue)		$124,177 53
Four per cent. upon investment of $1,457,339.08	58,293 56	
One per cent. upon $981,977 68, sinking fund for renewal of buildings and equipment	9,819 77	
A yearly rental of		68,113 33
Cost of education 1897-8		$192,290 86
Fees 1897-8		41,942 90
Contribution by the Crown		$150,347 96

The principle of contribution by the Crown for the students' education being admitted to the extent of more than seventy five per cent., it is apparent that the difficulties of the University would be met, and what is of the utmost importance, its present efficiency could be maintained and its future progress assured, by an increase in assistance from the Crown to the extent of from five to ten per cent.

I have the honour to be, etc.,

W. H. CROSS,
Auditor.

APPENDIX 1.

Balance Sheet 30th June, 1898.

Funds.

General Endowments Fund, Schedule 1		$3,495 759 03
Specific Endowment Funds	" 2	78,047 77
Retirement Fund	" 3	33 479 06
Trust Funds	" 4	36,596 73
Revenue Reservations	" 5	23,711 52
		$3.667,594 11

Assets.

Site Lands, Buildings and contents, Schedule 6		$1.457,339 08
Unproductive Lands	" 7	1,020,602 30
Leased Property	" 8	442,231 30
Investments	" 9	745,452 41
Past due fees	" 10	1,969 02
		$3,667.594 11

SCHEDULE 1.

General Endowment Fund.

Receipts for right of frontage on Yonge street avenue	$402 50	
" Queen street avenue	29 49	
		$431 99
Library Equipment:		
Value of additions to Library as shown by accession catalogue	$6,182 99	
Less ratio of depreciation for year, 3 per cent. from $113,636.53	3,409 09	
		2,773 90
Addition for year		$3,205 89
Fund of 30th June, 1897		3,492,553 14
Fund of 30th June, 1898		$3,495,759 03

SCHEDULE 2.

Specific Endowment Funds.

Scholarships.

Blake, Matriculation	$20,820 57
Blake, Science and Moderns	3,750 00
Moss, Classics	2,000 00
Daniel Wilson, Natural Science	2,000 00
William Mulock, Classics and Mathematics	2,000 00
Mary Mulock, Classics	2,778 74

George Brown, Modern Languages		1,128 34
George Brown, Medical Science		5,391 72
William Ramsay, Political Economy		1,009 42
Julius Rossin, German		1,000 00
Bankers, Political Science		1,200 00
John Macdonald, Philosophy		2,030 00
Physics		2,350 00
Prince of Wales prize, General Proficiency		950 00
Mackenzie Memorial		17,584 60
Fulton		3,291 30
Starr Bequest		4,331 81
Lyle Medal		155 00
Stewart Bequest		1,190 82
Young Memorial		3,085 45
		$78,047 77
Return of 30th June, 1897	$77,713 89	
Interest appropriation	4,154 13	
Rent—Starr Farm	120 00	
	$81,988 02	
Scholarship Payments 1897-98	3,940 25	
		$78,047 77

SCHEDULE 3.

Retirement Fund.

Beneficiaries as on 30th of June, 1898.

James Loudon	$4,527 70
Alfred Baker	2,330 07
R. Ramsay Wright	2,330 07
Maurice Hutton	2,330 07
J. W. Alexander	2,330 07
J. G. Hume	2,123 47
J. F. McCurdy	1,635 79
James Mavor	1,440 92
J. E. Berkeley Smith	1,283 79
A. B Macallum	1,039 20
W. H. Fraser	1,039 20
John Squair	1,039 20
G. M. Wrong	1,027 76
W. J. Loudon	869 01
D. R Keys	869 01
W. H. Pike	817 53
H. H. Langton	689 40
John Fletcher	568 62
W. S. Milner	495 92
J. H. Cameron	495 92
G. H. Needler	495 92
W. L. Miller	495 72
August Kirschmann	443 22
James Brebner	422 24
A. T. DeLury	394 78
C. A. Chant	394 78
E. C. Jeffrey	394 78

Adam Carruthers	362 10	
J. C. McLennan	274 74	
Frederick J. Smale	166 51	
R. G. Murison	96 60	
G. W. Johnston	96 60	
R. R. Bensley	90 92	
P. Toews	67 43	
		$33,479 06
Fund of 30th of June, 1897	$26,564 83	
Contributions 1897-8	5,219 37	
Interest as per terms of Order in Council	1,694 86	
Fund of 30th June, 1898		$33,479 06

SCHEDULE 4.

Trust Accounts.

Residence Extension Fund		$ 853 33
Vice-Chancellor's Fund		635 23
Library Funds:		
Insurance	$34,087 70	
German	201 60	
Greek	30 00	
		$34,319 30
Daniel Wilson Memorial		37 58
Biological Students' Supply		463 66
Langton Memorial		30 00
Medical Faculty Funds:		
Anatomical	$ 8 75	
Pathological	112 86	
Sanitary Science	28 46	
Gynaecological	50 00	
Materia Medica	57 56	
		$257 63
		$36,596 73
Return of June 30th, 1897	$42,476 94	
Interest appropriation, 1897-8	1,211 73	
Receipts during 1897-8	1,071 89	
	$44 760 56	
Payments during 1897-8	8,163 83	
		$36 596 73

SCHEDULE 5*a*

Revenue Reservations.

Accrued income 30th June, 1898		$29,179 41
Contingent Fund 30th June, 1897	$15,673 33	
Recoveries during 1897-8 from:		
Estate of D. Campbell	79 25	
Robert Ross *re* Clink loan	64 00	
		15,816 58
		$44,995 99

SUSPENSE ACCOUNT.

Returned of land selection expenses	$353 20		
Received from Department of Crown Lands as the year's income from Land Grant	895 04		
		$1,248 24	
Advance, 1896-7, *re* selection of land	$500 00		
Carried to ordinary Revenue 1897-8 account	748 24		
		1,248 24	
Fire premiums—portion of three year premiums to be carried forward, as per Schedule 6*d*		$3,178 37	
Expenditure upon granolithic walks in grounds during 1896-7, brought forward	$1,500 00		
Total expenditure upon grounds during year 1897-8	3,566 78		
	$5,066 78		
Less charge to 1897-8 account	2,566 78		
		2,500 00	
			$5,678 37
			$39,317 62

REVENUE ACCOUNT.

Deficit, 1897-8, ordinary account		$5,090 43	
Interest on final Ferrier instalment		40 00	
Unpaid interest on land sales still accrued and due apart from total of Schedule 9		1,330 86	
Unpaid park ground rent still accrued and due		627 53	
		$7,088 82	
Less British Association Grant		1,000 00	
Total deficit 1897-8 account		$6,088 82	
Deficit 30th June, 1897		9,517 28	
			15,606 10
			$23,711 52

SCHEDULE 5*b*.

INCOME ACCRUED BUT NOT DUE.

Accounts.	30th June, 1897.	30th June, 1898.
Debentures	$ 4,394 25	$5,306 87
Mortgages	10,736 19	7,260 76
Park rentals	4,031 25	4,197 91
School of Science	154 58	154 58
Business rentals	803 84	753 84
City of Toronto	1,500 00	1,500 00
Devonshire Place sales	291 78	82 80
Interest from other sales	218 95	121 71
	$22,130 84	$19,378 47
Agricultural fees	414 12	396 02
Other fees	193 00	73 00
	$22,737 96	$19,847 49

SCHEDULE 5c.

Revenue 1897-8.

Outlay.

Appropriations adopted 10th December, 1897:		
Out of ordinary income	$119,254 45	
As interest upon special funds	6,969 87	
Supplementary appropriations	543 33	
		$126,767 65
Less.		
Unused of original appropriations	2,590 12	
		$124,177 53

Income.

Account.	Estimate.	Actual.	
Interest:			
On purchase moneys	$ 1,233 25	$ 1,137 96	
On Loans	21,144 04	21,851 89	
On Medical Faculty advance	104 25	104 25	
On debentures	9,609 75	11,323 13	
On advances to U. C. College	7,235 25	7,235 25	
On Bank balances	4,000 00	1,271 26	
Rents:			
University Park	9,662 50	10,350 01	
Business properties	3,550 00	3,437 87	
School of Science	925 00	925 00	
Medical Faculty	1,900 00	1,900 00	
Board of Health	200 00	200 00	
City of Toronto payment	6,000 00	6,000 00	
Sundry earnings, land	3,200 00	2,912 29	
Mortgage transfer fees	40 00	47 50	
Gymnasium fees	900 00	699 55	
Fees University College	43,500 00	41,942 90	
Government grant	7,000 00	7,000 00	
Dept. of Crown Lands	.....	748 24	
	$120,204 04		$119,087 10
Deficit 1897-8 ordinary account			$5,090 43

SCHEDULE 5*d*.

REVENUE EXPENDITURES 1897-8.

Service.	Original Appropriations.	Supplementary Appropriations.	Unused.
Salaries	$91,149 00	.....	$ 1 25
Pensions	2,800 00	.....	.....
Examiners	2,850 00	$11 29	.....
Convocation expenses	50 00	.....	23 42
President's office	250 00	.....	16 80
Bursar's office	800 00	.....	60 94
Registrar's office	50 00	.....	.....
Stationery, University	1,000 00	.....	257 17
" University College	75 00	.....	15 00
Printing, University	2,500 00	.....	156 05
" University College	75 00	.....	42 00
Advertising, University	150 00	.....	93 70
" University College	150 00	.....	67 97
Incidentals, University	100 00	14 53	.....
" University College	50 00	11 53	.....
" General	300 00	287 36	.....
Law costs	500 00	.....	126 67
Interest on Trust Funds	6,969 87	90 85	.....
Insurance	1,800 00	.....	.....
Telephones	150 00	.....	3 00
Grounds	2,500 00	66 78	.....
Main building	3,545 00	.....	959 97
Library building	865 00	.....	3 55
Biological building	1,435 00	.....	145 39
Chemical building	1,145 00	.....	84 23
Gymnasium building	1,150 00	.....	257 06
Biological students' supplies	968 25	.....	.....
Biological department	400 00	.....	9 40
Chemical "	400 00	.....	18 47
Mineralogical "	412 20	47 15	.....
Physiological "	150 00	3 40	.....
Physical "	600 00	.....	5 29
Philosophical "	500 00	10 09	.....
Political Science department	125 00	.....	125 00
Classical "	20 00	.....	9 75
English "	150 00	.....	50 00
French "	10 00	.....	7 29
German "	10 00	.....	10 00
Italian and Spanish department	45 00	.....	40 75
Oriental department	25 00	35	.....
Original appropriations	$126 224 32		
Supplementary appropriations		$ 543 33	
Unused of appropriations			$2,590 12

SCHEDULE 6a.

Site Lands, Buildings and Contents.

30th June, 1898.

Lands set apart for the use of the University	$475,361 40	
Main building and residence	450,000 00	
Museum building	73 085 42	
Biological building	56,659 88	
Library building	104,245 93	
Chemical building	77,469 88	
Gymnasium building	36 288 46	
Y. M. C. A. Hall	1 00	
South Lodge	1,000 00	
		$1,274,111 97
Library proper	116,410 43	
Museum proper, fittings and biological apparatus	24,691 02	
Chemical apparatus	9,975 90	
Mineralogical and Geological apparatus	8,212 16	
Physical apparatus	15,900 00	
Psychological apparatus	1,800 00	
Mathematical apparatus	600 00	
		177,589 51
Main building furniture	3,841 20	
Residence furniture	1,796 40	
		5,637 60
		$1,457,339 08
Return of 30th June, 1897	1,454 565 18	
Additions to Library proper	2 773 90	
		$1,457.339 08

SCHEDULE 6b.

Fire Insurance—Premiums Paid 1897-8

Structures.

Main building	$200,000 00	
Residence	60,000 00	
Library	57,000 00	
Biological Laboratory	37,000 00	
Museum	25 000 00	
Medical and Geological	20 000 00	
Chemical Laboratory	45,000 00	
Gymnasium	15 000 00	
Y. M. C. A. Hall	5,500 00	
Two brick cottages (west drive)	1,000 00	
Premium for three years on	$465,500 00	$3,198 47

Contents.

Main building furniture and fittings	$ 1,500 00
" apparatus and chemicals	17,000 00
Residence furniture, etc	1,200 00
Library fittings	3,000 00
Library proper	72,200 00
Biological fittings	9,000 00
Biological Library	8,000 00

Museum fittings	10,000 00	
Museum collection	10,000 00	
Geological fittings	6,300 00	
Chemical apparatus, etc	15,000 00	
Boilers of all buildings	12,000 00	
Premium for three years on	$165,200 00	$1,302 40
Structures.		
South Lodge	3,000 00	
Cumberland residence	5,000 00	
Old Wycliffe College	20,000 00	
Seven items of U. C. College dwellings	9,000 00	
Premium for three years on	$37,000 00	$ 265 50
Old U. C. College and four dwellings... Premium for one year on	16,000 00	212 00
		$4,978 37
Appropriation to revenue 1897-8 account as share for current year		$1,800 00
To be apportioned to future years		$3,178 37

SCHEDULE 7.

Unproductive Lands.

Hoskin Avenue and Devonshire Place survey	$152,268 74		
Block between North Drive and Devonshire Place	217,657 53		
Unsurveyed block east of North Drive	90,351 00		
Lots Nos. 51, 52, 54, 69, 70 and 71	91,273 50		
Lots Nos. 3, 6, 8 and 9 (College Avenue)	36,864 00		
Unleased portion of lot 22 "	16,165 00		
Lots in Port Hope	7,100 00		
Lots near Belleville	1,820 00		
Indian Road property	7,541 60		
Farm lands	152 00		
College block, King street, Toronto	398,691 84		
Crawford street vacant lot	717 09		
			$1,020,602 30
Return of 30th June, 1897	$1,031,552 21		
Adelaide street asphalt pavement	$6,669 15		
Interest upon advances to trustees of Upper Canada College	7,223 85		
Addition to College block account	$13,893 00		
Vacant lot on Crawford street taken over	717 09		
	$1,046,162 30		
Less.			
Sale of 75 feet Devonshire Place	$ 7,500 00		
Sale of 100 feet Indian Road	1,000 00		
Sale of Belleville lot	60 00		
Leased 170 feet on College Avenue	17,000 00		
		25,560 00	
			$1,020,602 30

SCHEDULE 8.

Leased Lands.

30th June, 1898.

Victoria College site	$ 1 00	
Wycliffe College site	2,500 00	
Observatory site	1 00	
School of Science site	18,500 00	
Lands leased to City of Toronto	120,000 00	
Park lands	183,480 00	
Toronto business property	69,600 00	
Caradoc Farm	2,000 00	
Valuation of lands		$396,082 00
Cumberland dwelling house	$13,074 74	
Park Hospital Building	24,192 21	
Expenditure upon Buildings		37,266 95
Wycliffe College pavement		1,310 15
Park ground rents :—		
Past due	$ 365 87	
Accrued, but not due	4,197 91	
City of Toronto payment	1,500 00	
School of Science accrued	154 58	
Other ground rents :—		
Past due	600 00	
Accrued, but not due	753 84	
		7,572 20
		$442,231 30
Return of 30th June, 1897	$424,055 62	
170 feet of College avenue leased for 42 years	17,000 00	
Wycliffe College pavement on Hoskin avenue $1,335 15		
One year's repayment 75 00		
$1,260 15		
One year's interest on $1,000 at 5 per cent .. 50 00		
	1,310 15	
	$442,365 77	
Less decrease in rentals outstanding	134 47	
		$442,231 30

SCHEDULE 9*a*.

Investments.

30th June, 1898.

Debentures and Municipal bonds	$259,699 81	
Interest past due	655 18	
Interest accrued, but not due	5,306 87	
		$265,661 86
Loans secured by first mortgage upon real property	$404,489 51	
Advanced as premium on fire policies	133 70	
Advanced to Medical Faculty	1,390 00	
Interest past due	3,032 43	
Interest accrued, but not due	7,260 76	
		416,306 40
Unpaid purchase money on land sales	23,956 54	
Interest accrued, but not due	204 51	
Earnings past due	125 00	
		24,286 05
Canadian Bank of Commerce, on deposit		39,198 10
		$745,452 41

1897-8 Transactions.

Inwards.

Debentures paid off	$16,449 04	
Loans repaid	173,048 24	
Vacant lot taken over	717 09	
Medical Faculty repayment	695 00	
Instalments of land sales received	8,360 58	
Decreased interest outstanding	3,395 82	
Withdrawn from Canadian Bank of Commerce	303,385 74	
		$506,051 51

Outwards.

Debentures purchased	$83 108 93	
Mortgage re-investments	39,710 69	
Land sales—unpaid portion	7,560 00	
Increased fire premium outstanding	30 52	
Deposits in Canadian Bank of Commerce	341,229 65	
		$471,639 79
Decrease in volume during 1897-8		$34 411 72
Return of 30th June, 1897		779 864 13
Return of 30th June, 1898		$745 452 41

SCHEDULE 9*b*.

Debentures.

30th June, 1898

Municipality.	Amount.	
London	$42 355 00	
St. Mary's	20,387 02	
Camden	18 000 00	
Walkerton	17,595 75	
Tilbury West	16,097 68	
Sarnia	15,000 00	
Chatham	14,263 77	
Galt	14,080 50	
East Toronto	13,500 00	
Tilbury East	12,765 04	
York	10,815 86	
Sheffield	10 000 00	
Simcoe	8,444 99	
Goderich	6,782 24	
Tilsonburg	6,435 89	
Berlin	5,195 67	
Blenheim	3,704 55	
Burpee	2,000 00	
Port Elgin	1,530 00	
Drayton	1,511 62	
East Luther	1,259 38	
Anderdon	1,091 83	
Eldon	1,019 96	
Mosa	1,007 31	
Romney	673 40	
Strathroy	564 57	
Mara	184 45	
Ontario Municipal bonds		$246,266 48
Dominion of Canada Stock	$ 2,433 33	
Landed Banking and Loan Co	10,000 00	
Toronto Board of Trade	1,000 00	
		13,433 33
		$259 699 81

SCHEDULE 10.

Fees.

Actual receipts during 1897-8		$42,081 00
Arrears of 1896-7 collected and included in above receipts	$508 12	
Arrears of 1897-8	469 02	
Deduction from receipts	39 10	
Deduct also arrears of 1896-7 written off	99 00	
		138 10
Fees of 1897-8 are thus		$41,942 90

1896-7, Arrears.

Written off as irrecoverable :—		
Three registration fees	$90 00	
Three library fees	6 00	
One laboratory fee	3 00	
		$ 99 00
Collections during 1897-8 :—		
Agricultural fees	$414 12	
Other fees	94 00	
Burglary loss	500 00	
		1 008 12
Burglary loss carried forward		1,500 00
Arrears of 30th June, 1897		$2,607 12

1897-8 Arrears.

Agricultural arrears 30th June, 1897	$414 12	
Eleven degrees, 1897-8	110 00	
Examination, 1897-8, outlays	296 90	
	$821 02	
Received from Department	425 00	
		$ 396 02
Portion of one registration fee	$18 00	
One 1897-8 dispensation fee	15 00	
Two 1897-8 Pedagogy fees	40 00	
		73 00
Burglary loss remaining to be repaid by Bursar		1,500 00
Arrears of 30th June, 1898		$1,969 02

APPENDIX 2.

Fees Received 1897 8.

Faculty of Arts.

Subject.	1st Year.	2nd Year.	3rd Year.	4th Year.	Miscellaneous.
	$ c.	$ c.	$ c.	$ c.	$ c.
College fees	4,085 00	4,475 00	4,806 00	3,656 00	78 00
Penalties	18 00	22 00	58 00	32 00	6 00
Dispensations	85 00	65 00	145 00	95 00	5 00
Honor Certificates			4 00	16 00	61 00
Matriculation	25 00				409 00
Ad Eundem	30 00	50 00	10 00		20 00
Examination	1,913 00	2,155 00	2,205 00	1,955 00	1,235 00
Degrees				1,500 00	300 00
Chemical supply	17 00	73 00	53 00	27 00	
Mineralogical supply		18 00	8 00	24 00	
Biological "	30 00	67 50	132 00	205 00	
Physical "	47 00	77 00	167 50	87 00	
Psychological "			30 00	41 00	
Library	226 00	326 00	328 00	308 00	6 00
Medical Students:					
Matriculation	10 00	25 00	5 00		
Ad Eundem	8 00				10 00
Honor Certificate				2 00	3 00
Examination	490 00	550 00	100 00	580 00	110 00
Degrees				1,080 00	40 00
Chemical supply	144 00	129 00			
Biological "	72 00	117 00			
Instruction to Medical Faculty in Arts Subjects	672 00	645 00			
Instruction to Practical Science Students	745 00	447 00	45 00		
Totals	8,617 00	9,241 50	8,096 50	9,608 00	2,283 00

APPENDIX 2.—*Continued.*

Departmental Fees.

Subject.	Law.	Dentistry.	Engineering and Applied Science.	Music.	Pharmacy.	Pedagogy.
	$ c.	$ c.	$ c.	$ c.	$ c.	$ c.
Matriculation	30 00	320 00		50 00	240 00	
Examination	70 00	698 00	70 00	140 00	510 00	70 00
Practical Examination					102 00	
Degrees		780 00	130 00	60 00	510 00	20 00
Ad Eundem	10 00					
Totals	110 00	1,798 00	200 00	250 00	1,362 00	90 00

Classification of Fees Paid.

First year	$8,617 00	
Second year	9,241 50	
Third year	8,096 50	
Fourth year	9,608 00	
Miscellaneous fees	2,283 00	
Law	110 00	
Dentistry	1,798 00	
Engineering	200 00	
Music	250 00	
Pharmacy	1,362 00	
Pedagogy	90 00	
Agricultural	425 00	
		$42,081 00

Classification of Services.

College fees	$17,100 00
Penalties	136 00
Dispensations	395 00
Honor Certificates	86 00
Matriculation	1,114 00
Ad eundem	138 00
Examination	12,851 00
Practical Examination	102 00
Degrees	4,420 00
Chemical supply	443 00
Mineralogical supply	50 00
Biological "	623 50
Physical "	378 50
Psychological "	71 00
Library	1,194 00
Instruction to Medical Faculty, Art subjects	1,317 00
Instruction to Practical Science Students	1,237 00
Agriculture, payment by Government	425 00
	$42,081 00

APPENDIX 3.

Medical Faculty Fees.

First year	$5,375 00		
Less Arts portion	672 00		
		$4,703 00	
Second year	$4,270 00		
Less Arts portion	645 00		
		$3,625 00	
Third year		4,630 00	
Fourth year		5,375 00	
Miscellaneous fees		880 00	
Registration fees		290 00	
Summer Session fees		1,530 00	
Psychology fees (collected for Dr. Daniel Clark)		285 00	
Interest on bank account		201 34	
Collections during 1897-98			$21,519 34

Contra.

Salaries:			
Professors and Associate Professors	$8,191 42		
Lecturers and Instructors	692 04		
Demonstrators and Asst. Demonstrators	1,050 00		
		$9,933 46	
Summer Session Services		1,530 00	
Honorarium to Dr. Richardson		250 00	
Psychology fees paid over to Dr. Clark		285 00	
Wages of attendants		1,080 00	
Rentals:			
Biological building	$1,900 00		
Gerrard street building	1,000 00		
		2,900 00	
Interest on University advance for repairs 5% on $2,085.00	$104 25		
Re-payment on account of advance (leaving $1,390 still to be re-paid)	695 00		
		799 25	
Working expenses		4,741 63	
			$21,519 34
Arrears on 30th June, 1897	$310 00		
Collected and included in above	170 00		
Arrears of 1896-7 unpaid	$140 00		
One fourth year 1897-8 fee unpaid	85 00		
Arrears 30th June, 1898	$225 00		

APPENDIX 4.

University College Residence Account.

Expenditures.

Provisions	$2,198 84	
Fuel	235 00	
Gas	252 36	
Maintenance and utensils	93 13	
Laundry	21 83	
Steward's wages	360 00	
Other wages	501 95	
Allowance to Dean	200 00	
		$3,863 11

Income.

Rents	$ 790 60	
Board	2,988 05	
Steward's sundries	137 70	
Fuel	38 90	
Detriments	30 80	
Fines	34 40	
		$4,020 45
Surplus 1897 8 account		$157 34
Surplus 30th of June, 1897		245 67
Surplus 30th of June, 1898		$403 01

Average number in residence during 1897-8 was 30.

UNIVERSITY OF TORONTO

REPORT

OF

STANDING COMMITTEE ON FINANCE

1898-9

(ADOPTED FEBRUARY 17th, 1899.)

PRINTED BY ORDER OF
THE LEGISLATIVE ASSEMBLY OF ONTARIO.

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1899.

UNIVERSITY OF TORONTO

REPORT

OF THE

STANDING COMMITTEE ON FINANCE.

TORONTO, February 11th, 1899.

The Standing Finance Committee beg to submit their report for the year ending 30th June, 1898:

1. They have obtained from the Bursar the estimates of the receipts on income account for the year; and from the Bursar and the heads of University departments they have received estimates of probable expenditures for the year.

2. They also incorporate in their report, for the sake of convenience, the estimates of University College, which have been furnished to the Committee for their information by the Council of University College.

3. The forms of account which were employed in last year's report have been adhered to, and for the purpose of comparison the actual results of the transactions of the year 1897-8 are given.

UNIVERSITY OF TORONTO.

Estimated Revenue, Year 1898-9.

	Account.	Estimate, 1898-9.	Receipts, 1897-8.
		$ c.	$ c.
(a)	Interest on purchase moneys	556 46	1,137 96
(b)	Interest on mortgages	20,645 90	21,851 89
	Interest on debentures	12,226 95	11,323 13
	Interest on advance to Medical Faculty	69 50	104 25
(c)	Rents, University Park	10,842 50	10,350 01
	Rents, business properties, etc	3,450 00	3,437 87
	Rents, Miscellaneous:		
	School of Science site	925 00	925 00
	Medical Faculty allowance *re* Biological Building	1,900 00	1,900 00
	Board of Health allowance do	200 00	200 00
(d)	City of Toronto, payment	6,000 00	6,000 00
(e)	University and College fees	42,000 00	41,942 90
(f)	Gymnasium fees	700 00	699 55
(g)	Transfer and discharge of mortgage fees	40 00	47 50
(h)	Interest on advances *re* U. C. C. block	7,658 92	7,235 25
(i)	Sundry earnings, land	2,950 00	2,912 29
(k)	Interest on bank balances	300 00	1,271 26
(l)	Legislative grant	7,000 00	7,000 00
(m)	Wild lands sale	8,000 00	748 24
		125,465 23	119,087 10

Deductions.

Interest on the following Special Funds.

	Account.	Amount of balance at 30th June, 1898.	Amount of Interest.
		$ c.	$ c.
(a)	Library Insurance Fund (books)	34,087 70	1,022 63
(b)	Residence Extension Fund	853 33	25 59
(c)	Vice Chancellor's Special Account	635 23	19 05
(d)	Retirement Fund	33,479 06	2,008 74
(e)	Specific Endowment (Scholarships, etc.)	73,715 96	4,180 05
		142,771 28	7,256 06
	Estimated revenue	125,465 23	
	Deductions	7,256 06	
	Amount available	118,209 17	
	Deficit on Revenue Account at 30th June, 1898, brought forward	15,606 10	

REMARKS

1. The deficit estimated for 1897-8, as shown by the last report of the Finance Committee, was $6,020.28, and the actual deficit was $6,088.82.

2 The Committee have examined with minute care the various items in the estimate for 1898-9, and believe that no further economies are possible.

3. The Committee regret that notwithstanding the fact that as much as $8,000 is available for the current year from the sales of wild lands, the deficit for the current year is estimated at $5,005.93.

B. E. WALKER,

Chairman.

Summary of Estimated Expenditure, Year 1898-9.

	Payable out of interest on special funds.	Payable out of ordinary revenue.	Expenditure 1897-8.
	$ cts.	$ cts.	$ cts.
1. Salaries and Pensions:			
(a) Salaries (inclusive of Bursar's Office and Retirement Fund)		94,525 50	91,147 75
(b) Pensions		2,800 00	2,800 00
2. Bursar's Office, exclusive of salaries		750 00	739 06
3. Expenses re investments, etc		900 00	960 69
4. Scholarships and Fellowships	4,057 50		3,985 00
5. Examiners		2,900 00	2,861 29
6. Insurance		1,800 00	1,800 00
7. Telephone		135 00	150 00
8. Library:			
Customary grant	6,000 00		5,996 05
Maintenance		845 00	861 45
9. Main Building:			
(a) Repairs, maintenance of structure, fuel, water, gas, etc		3,125 00	2,585 03
(b) President's Office		250 00	233 20
(c) Registrar's Office		50 00	50 00
10. Grounds		3,000 00	2,566 78
11. Chemical Department:			
(a) Maintenance of structure		1,045 00	1,060 77
(b) Maintenance of department		400 00	381 53
12. Biological Department:			
Maintenance of structure, fuel, water, gas, etc		1,615 00	1,289 61
Laboratory supplies		350 00	390 60
Museum supplies		300 00	
Students' supplies		623 50	968 25
13. Physiological Department:			
Maintenance		125 00	153 40
Apparatus		450 00	
14. Physical Department:			
Maintenance		700 00	594 71
Apparatus			
15. Mineralogical and Geological Department:			
Maintenance		200 00	200 09
Minerals		226 10	259 26
16. Psychological Department—Maintenance		300 00	510 09
17. Mathematical Department			
18. Political Science Department—Class Room supplies		150 00	
Books		20 00	
19. History—Class Room supplies		20 00	10 25
20. Classics "		100 00	100 00
21. English "		10 00	2 71
22. French "		20 00	
23. German "		10 00	4 25
24. Italian and Spanish—Class Room supplies		20 00	25 35
25. Oriental Literature "		800 00	742 83
26. Stationery—University		2,400 00	2,343 95
27. Printing "		100 00	56 30
28. Advertising "		100 00	114 53
29. Incidentals "		75 00	60 00
30. Stationery—University College		75 00	33 00
31. Printing "		125 00	82 03
32. Advertising "		50 00	38 47
33. Incidentals "		50 00	26 48
34. Convocation expenses		625 00	
35. Senate elections		1,050 00	892 94
36. Gymnasium—Maintenance			
	10,057 50	123,210 10	127,077 70
Total estimated expenditure out of ordinary income			123,210 10
Total available income (p. 5)			118,209 17
Deficit			5,005 93

Detailed Estimate of Expenditure, Year 1898-9.

Salaries.	Estimated amount, year ending 30th June, 1899.	Amount paid year ending 30th June, 1898.
	$ cts.	$ cts.
1. Bursar's Office:		
Bursar	1,600 00	1,600 00
Accountant	1,000 00	1,000 00
	2,600 00	2,600 00
2. Library:		
Librarian (salary at $1,800, for six months, $900; a $1,900, for six months, $950)	1,850 00	1,750 00
First Assistant	500 00	487 50
Second Assistant	325 00	300 00
Temporary Assistant (four summer months at $25)	100 00	
Delivery Clerk (salary at $40 per month for eight months)	320 00	400 00
Delivery Clerk (salary at $10 per month for eight months)	80 00	
Caretaker (salary at $500 for three months)	125 00	500 00
" (salary at $450 for nine months)	337 50	
	3,637 50	3,437 50
3. General as between University and University College:		
President (also paid as Professor of Physics)	1,800 00	1,800 00
Janitor (salary at $420, for three months, $105; at $480, for nine months, $360)	465 00	420 00
Gardener (salary at $100, for three months, $25; at $480, for nine months, $360)	385 00	100 00
Engineer (with rooms and fuel)	576 00	576 00
Fireman (salary at $35 per month, for eight months)	280 00	278 75
Carpenter (salary at $450, for three months, $112.50; at $540, for nine months, $405)	517 50	450 00
Cleaner of buildings (salary at $312, for three months, $78; at $360, for nine months, $270)	348 00	312 00
Attendant on cloak room and lavatory, at $25 per month for seven months		175 00
	4,371 50	4,111 75
4. Pensions:		
E. J. Chapman	1,800 00	1,800 00
J. M. Hirschfelder	1,000 00	1,000 00
	2,800 00	2,800 00
5. University of Toronto, general:		
Vice-Chancellor		
Registrar	1,500 00	1,450 00
Registrar's Assistant (also paid as Lecturer in Greek)	200 00	200 00
Bedel and attendant on Senate	800 00	750 00
Architect	100 00	100 00
	2,600 00	2,500 00
6. Teaching staff, etc., University of Toronto:		
(a) Modern History and Ethnology:		
Professor (salary at $2,800, for three months, $700; at $2,900, for nine months, $2,175)	2,875 00	2,775 00
	2,875 00	2,775 00
(b) Political Science:		
Professor (salary at $3,000, for three months, $750; at $3,100, for nine months, $2,325)	3,075 00	2,975 00
Professor of Constitutional and International Law	1,000 00	1,000 00
Professor of Roman Law, Jurisprudence and History of English Law	1,000 00	1,000 00
Fellow	500 00	500 00
	5,575 00	5,475 50

DETAILED ESTIMATE OF EXPENDITURE, YEAR 1898-9.—*Continued*

Salaries.	Estimated amount year ending 30th June, 1899	Amount paid year ending 30th June, 1898.
	$ c.	$ c.
Teaching staff, etc., University of Toronto.—*Continued.*		
(*c*) Mathematics:		
Professor	3,200 00	3,200 00
Lecturer (salary at $1,500 for three months, $375; at $1,600 for nine months, $1,200)	1,575 00	1,475 00
Fellow	500 00	500 00
	5,275 00	5,175 00
(*d*) Physics:		
Professor	3,200 00	3,200 00
Demonstrator	1,800 00	1,800 00
Lecturer (salary at $1,500 for three months, $375; at $1,600 for nine months, $1,200)	1,575 00	1,475 00
Assistant Demonstrator	1,000 00	1,000 00
Fellow	..	..
Mechanical Assistant	1,000 00	1,000 00
	8,575 00	8,475 00
(*e*) Chemistry:		
Professor	3,200 00	3,200 00
Demonstrator (salary at $1,600 for three months, $400; at $1,700 for nine months, $1,275)	1,675 00	1,575 00
Lecturer (salary at $1,200 for three months, $300; at $1,300 for nine months $975)	1,275 00	1,175 00
Lecture Assistant	500 00	500 00
Assistant	500 00	500 00
Attendant	504 00	504 00
Cleaner (salary at $135 for six months, $67.50; at $180 for six months, $90)	157 00	..
	7,811 00	7,454 00
(*f*) Mineralogy and Geology:		
Professor (Acting)	500 00	500 00
Instructor	600 00	600 00
Attendant	200 00	200 00
	1,300 00	1,300 00
(*g*) Biology:		
Professor	3,200 00	3,200 0
Associate Professor of Physiology (salary at $2,300 for three months, $575; at $2,400 for nine months, $1,800)	2,375 00	2,275 00
Lecturer (salary at $1,500 for three months, $375; at $1,600 for nine months, $1,200)	1,575 00	1,475 00
Assistant Demonstrator	1,000 00	1,000 00
Fellow	500 00	500 00
Sub-Curator of Museum	750 00	759 50
Attendant and Caretaker	500 00	500 00
Boy cleaner	180 00	180 00
	10,080 00	9,869 50
(*h*) Italian and Spanish:		
Associate Professor (salary at $2,300 for three months, $575; at $2,400 for nine months, $1,800)	2,375 00	2,275 00
Temporary Instructor in Italian	350 00	250 00
Temporary Instructor in Spanish	50 00	50 00
	2,775 00	2,575 00

DETAILED ESTIMATE OF EXPENDITURE, YEAR 1898-9.—*Continued.*

Salaries.	Estimated amount year ending 30th June, 1899.	Amount paid year ending 30th June, 1898.
6. Teaching staff, etc., University of Toronto.—*Continued.*	$ c.	$ c.
(*i*) Logic and Metaphysics:		
Lecturer and Demonstrator in Psychology	1,800 00	1,800 00
Lecturer in Philosophy	1,200 00	1,100 00
Instructor and Laboratory Assistant	500 00	
	3,500 00	2,900 00
7. Teaching staff, University College:		
(*k*) Ethics:		
Professor	3,200 00	3,175 00
	3,200 00	3,175 00
(*l*) Greek:		
Professor	3,200 00	3,200 00
Lecturer (salary at $1,400 for three months, $350; at $1,500 for nine months, $1,125)	1,475 00	1,375 00
	4,675 00	4,575 00
(*m*) Latin:		
Professor (salary at $2,700 for three months, $675; at $2,800 for nine months, $2,100)	2,775 00	2,675 90
Lecturer (salary at $1,600 for three months, $400; at $1,700 for nine months, $1,275)	1,675 00	1,575 00
Lecturer (salaryat $1 100 for three months, $275; at $1,200 for nine months, $900)	1,175 00	1,075 00
	5,625 00	5,325 00
(*n*) Oriental Literature:		
Professor (salary at $3,000 for three months, $750; at $3,100 for nine months, $2,325)	3,075 00	2,975 00
Lecturer (salary at $1,100 for three months, $275; at $1,200 for nine months, $900)	1,175 00	1,075 00
	4,250 00	4,050 00
(*o*) English:		
Professor	3,200 00	3,200 00
Lecturer	1,800 00	1,800 00
	5,000 00	5,000 00
(*p*) French:		
Associate Professor (salary at $2,300 for three months, $575; at $2,400 for nine months, $1,800)	2,375 00	2,275 00
Lecturer (salary at $1,400 for three months, $400; at $1,700 for nine months, $1,275)	1,675 00	1,575 00
Temporary Instructor	560 00	500 00
	4,550 00	4,350 00
(*q*) German:		
Associate Professor (salary at $2,400 for three months, $600; at $2,500 for nine months, $1,875)	2,475 00	2,375 00
Lecturer (salary at $800 for three months $200; at 900 for nine months, $1,275)	1,675 00	1,575 00
Instructor (salary at $800 for three months, $200; at $900 for nine months, $675)	875 00	775 00
	5,025 00	4,725 00
8. Gymnasium:	800 00	800 00
Instructor	500 00	500 00
Caretaker		
	1,300 00	1,300 00

DETAILED ESTIMATE OF EXPENDITURE, YEAR 1898-9.—*Continued.*

Expenses.	Payable out of interest on special funds	Paid out of ordinary revenue.	Amount paid 1897-8.
	$ c.	$ c.	$ c.
2. Bursar's office :			
Stationery, printing, postage and incidentals	.....	450 00	439 06
Auditor	.....	300 00	300 00
	.....	750 00	739 06
Expenses *re* investments, etc.:			
Law costs	.....	500 00	373 33
General incidentals (including commission on loans)	.....	400 00	587 36
	.....	900 00	960 69
4. Scholarships and Fellowships :			
(*a*) Scholarships :			
Junior Matriculation :			
1. Prince of Wales	50 00	.....	50 00
Edward Blake Scholarships :			
1*a*. General Proficiency	60 00	.....	60 00
2. "	42 50	.....	42 50
3. "	25 00	.....	25 00
4. "	22 50	.....	22 50
5. "	20 00	.....	20 00
6. "	17 50	.....	.....
7. "	15 00	.....	15 00
8 " West Durham	25 00	.....	25 00
1. Classics and Mathematics	60 00	.....	60 00
2. "	20 00	.....	20 00
1. Classics and Moderns	60 00	.....	60 00
2. "	42 50	.....	42 50
3. "	20 00	.....	.....
4. "	17 50	.....	17 50
1. Mathematics and Moderns	60 00	.....	60 00
2. "	20 00	.....	20 00
1 Mathematics and Science	60 00	.....	60 00
2. "	20 00	.....	.....
1. Moderns and Science	60 00	.....	60 00
2. "	20 00	.....	.....
1. Mathematics	60 00	.....	60 00
2. "	15 00	.....	15 00
1. Moderns	60 00	.....	60 00
2. "	15 00	.....	15 00
1. Science	60 00	.....	.....
2. "	15 00	.....	.....
1. Classics—Mary Mulock	60 00	.....	120 00
2. " "	60 00	.....	60 00
First Year :			
Classics (Moss Scholarship)	60 00	.....	60 00
Modern Languages (Blake Scholarship)	60 00	.....	60 00
Mathematics and Physics (Fulton Scholarship)	60 00	.....	60 00
Natural Science (Fulton Scholarship)	60 00	.....	60 00
Chemistry and Mineralogy (Fulton Sho'rship)	30 00	.....	60 00
Chemistry and Physics (Fulton Sho'rship)	30 00	.....	
Political Science (Banker's Scholarship)	70 00	.....	70 00
Second Year :			
Classics (William Mulock Scholarship)	60 00	.....	60 00
Modern Languages (George Brown Scholarship)	60 00	.....	60 00
Political Science (Alexander Mackenzie Scholarship) No. 1	75 00	.....	75 00
Political Science (Alexander Mackenzie Scholarship) No. 2	50 00	.....	50 00
Philosophy (John Macdonald Scholarship)	50 00	.....	50 00

DETAILED ESTIMATE OF EXPENDITURE, YEAR 1898-9.—*Continued.*

Expenses.	Payable out of interest on special funds.	Paid out of ordinary revenue.	Amount paid 1897-8.
Scholarships.—*Continued.*	$ c.	$ c.	$ c.
Second Year:			
Mathematics and Physics (William Mulock Scholarship)	60 00		60 00
Natural Science (Blake Scholarship)	60 00		60 00
Chemistry and Mineralogy (Blake Scholarship)	60 00		60 00
Chemistry and Physics (Blake Scholarship)	60 00		
Third Year:			
Classics	60 00		60 00
Modern Languages (Julius Rossin Scholarship)	60 00		60 00
Ethics (John Macdonald Scholarship)	50 00		50 00
Political Science (Alexander Mackenzie Scholarship) No. 1	75 00		75 00
Political Science (Alexander Mackenzie Scholarship) No. 2	50 00		50 00
Mathematics and Physics (A. A. A. S. Scholarship)	75 00		75 00
Natural Science (Daniel Wilson Scholarships):			
Div. I.	30 00		60 00
Div. II	30 00		
Chemistry and Mineralogy (Daniel Wilson Scholarship)	60 00		60 00
Chemistry and Physics (A.A.A.S. Scholarship)	70 00		70 00
Post Graduate:			
Political Science (Ramsay Scholarship)	60 00		60 00
Philosophy (George Paxton Young Memorial Scholarship)	400 00		400 00
Medicine (Brown Memorial Scholarship)	300 00		300 00
(*b*) Graduate Fellowships:			
Alexander Mackenzie Graduate Fellowship in Political Science	375 00		375 00
Alexander Mackenzie Graduate Fellowship in Political Science	375 00		375 00
	4,057 50		3,985 00
Examiners:			
Arts		300 00	294 12
Medicine		900 00	894 58
Law		80 00	60 00
Engineering and Applied Science		120 00	100 00
Dentistry		500 00	545 50
Agriculture		300 00	296 90
Music		80 00	61 65
Pharmacy		425 00	425 54
Pedagogy		120 00	120 00
Matriculation		75 00	63 00
		2,900 00	2,861 29
6. Insurance:			
For three years, $5,400.00. Proportion charged to revenue of 1898-9		1,800 00	1,800 00
		1,800 00	1,800 00
7. Telephone:			
University (main building)		45 00	36 00
Library		45 00	45 00
Biological building			30 00
Bursar's office		45 00	45 00
		135 00	150 00

DETAILED ESTIMATE OF EXPENDITURE, YEAR 1898-9.—*Continued.*

Expenses.	Payable out of interest on special funds.	Payable out of ordinary revenue.	Amount paid 1897-8.
	$ c.	$ c.	$ c.
8. Library (exclusive of salaries):			
Customary grant (from Library Insurance Fund)	6,000 00		5,996 05
Maintenance: Fuel		350 00	342 13
Water		25 00	16 45
Gas		10 00	
Cleaning		210 00	210 00
Repairs and incidentals		250 00	292 87
	6,000 00	845 00	6,857 50
9. Main building:			
a) Maintenance—Repairs (carpentry, plumbing and sundries)		1,200 00	827 79
Fuel		1,500 00	1,404 90
Water		225 00	191 96
Gas		200 00	160 38
(*b*) President's office		250 00	233 20
(*c*) Registrar's office		50 00	50 00
		3,425 00	2,868 23
10. Grounds:			
(*a*) Labor, tools, etc		2,500 00	2,566 78
(*b*) Part of cost of new roads, sidewalks, etc		500 00	
		3,000 00	2,566 78
11. Chemical Department:			
(*a*) Maintenance of Structure—Fuel		450 00	407 87
Gas and electric light		120 00	94 97
Water			57 31
Cleaning materials		75 00	500 62
Cleaning assistance			
Repairs and incidentals		400 00	
		1,045 00	1,060 77
(*b*) Maintenance of Departments—Chemicals, etc		400 00	381 53
		400 00	381 53
12. Biological Buildings: Maintenance of structure—			
Fuel		700 00	445 22
Gas and electric light		200 00	193 62
Water		160 00	166 62
House furnishings and cleaning materials		125 00	139 59
Repairs, including carpentry and plumbing		200 00	115 46
Additional attendance and cleaning assistance (exclusive of mineralogical and anatomical rooms)		230 00	229 10
		1,615 00	1,289 61
Biological Department:			
Laboratory and lecture room supplies		350 00	390 60
Museum supplies		300 00	
Students' laboratory supplies		623 50	966 25
		1,273 50	1,358 85
13. Physiological Department:			
Maintenance		125 00	153 40
Apparatus		450 00	
		575 00	153 40
14. Physical Department:			
Maintenance—Supplies		700 00	594 71
Apparatus			
		700 00	594 71
15. Mineralogical and Geological Department:			
Supplies and sundries, including students' supplies		200 00	200 09
Minerals (addition to Ferrier collection)		226 10	259 26
		426 10	459 35

DETAILED ESTIMATE OF EXPENDITURE, YEAR 1898-9.—*Concluded.*

Expenses.	Payable out of ordinary revenue.	Amount paid 1897-8.
	$ c.	$ c.
16. Psychological Department:		
Maintenance	300 00	510 09
17. Mathematics		
18. Political Science:		
Class room supplies	25 00	
Books for departmental Library	125 00	
19. History:		
Class room supplies	20 00	
20. Classics:		
Latin—Class room supplies	20 00	10 25
21. English:		
Class room supplies and provision for reading of essays	100 00	100 00
22. French,		
Books for class room use	10 00	12 71
23. German:		
Books for class room use	20 00	
24 Italian and Spanish:		
Books for class room use	10 00	4 25
25. Oriental literature:		
Books for class room use	20 00	25 35
26. Stationery (University):		
Office supplies, paper for examinations, postage, etc	800 00	742 83
27. Printing (University)	2,400 00	2,343 95
28. Advertising (University)	100 00	56 30
29. Incidentals (University)	100 00	114 53
30. Stationery (University College)	75 00	60 00
31. Printing (University College)	75 00	33 00
32. Advertising (University College)	125 00	82 03
33. Incidentals (University College)	50 00	38
34. Convocation expenses	50 00	26
35. Senate elections:		
Allowance to scrutineers and assistants	220 00	
Postage, printing and incidentals	405 00	
	625 00	
36. Gymnasium and Student's Union:		
Fuel	250 00	245 5
Water	100 00	189 2
Gas	100 00	
Cleaning	100 00	249 49
Repairs and incidentals	300 00	
Maintenance of apparatus, labor, etc	200 00	208 75
	1,050 00	892 94

Toronto, February 16th, 1899.

James Brebner, Esq., B.A.,

Registrar, University of Toronto.

Dear Sir,—At a meeting of the Board of Trustees, held to-day, the draft Report of the Council of University College and of the Committee of the Senate on Finance containing estimates of revenue and expenditure, and the Committee's observations on various matters, was read, and, on motion of Mr. Walker, the Report was approved by the Board.

Yours truly

J. E. BERKELEY SMITH,

Bursar.

(No. 51).

Report of the Librarian on the state of the Legislative Library. Presented to the Legislature, 2nd February, 1899. *Not printed.*

(No. 52).

Report of the Inspector of the House of Refuge, County of Waterloo. Presented to the Legislature, 8th February, 1899. *Not printed.*

(No. 53).

Copy of Order in Council respecting the payment of surplus Surrogate Court Fees to Judge Jamieson. Presented to the Legislature, 8th February, 1899. *Not printed.*

(No. 54).

Copies of Orders in Council commuting Surrogate Court Fees of Judges Huges, Barron, Elliott, Doyle, Monck and Mosgrove. Presented to the Legislature, 8th February, 1899. *Not printed.*

(No. 55).

Statement as to the disposal of the Sessional and Revised Statutes of Ontario. Presented to the Legislature, 8th February, 1899. *Not printed.*

(No. 56).

Return to an Address to His Honour the Lieutenant-Governor of the tenth day of August, 1898, praying that he will cause to be laid before this House a Return of copies of all Orders in Council, correspondence and other documents relating to the deciding upon, and purchase of a site in the City of London for the proposed Normal School. Presented to the Legislature, 14th February, 1899. Mr. *Hodgens*. *Not printed.*

(No. 57).

Return to an Order of the House of the seventeenth day of August, 1898, for a Return of copies of all correspondence and papers relating to, or connected with, the confinement of Hiram Augustus McCrea in the Asylums at Kingston and Brockville, and his release therefrom. Presented to the Legislature, 17th February, 1899. Mr. *Beatty* (*Leeds*). *Not printed*

RETURN.

Copy of an Agreement between the Inspector of Prisons and Public Charities and The Independent Cordage Company of Ontario, Limited, respecting the Manufacture of rope at the Central Prison, Toronto.

Presented to the Legislative Assembly.

E. J. DAVIS,
Secretary.

Provincial Secretary's Office,
Toronto, 20th February, 1899.

THIS AGREEMENT made the twenty-eighth day of October in the year of our Lord one thousand eight hundred and ninety-eight, between THE INSPECTOR OF PRISONS AND PUBLIC CHARITIES FOR ONTARIO, hereinafter called "The Inspector" for and on behalf of Her Majesty, by virtue of the 38th section of the Revised Statutes respecting the Central Prison, of the First Part, and THE INDEPENDENT CORDAGE COMPANY OF ONTARIO, Limited, a body corporate under the Ontario Companies' Act, and having its Head Office in the City of Toronto, County of York and Province of Ontario, hereinafter called "The Company," of the Second Part

Whereas the Inspector entered into an Agreement with Patrick Louis Connor on the twenty-fifth day of September, 1895, to manufacture binder twine in the Cordage building at the Central Prison in the City of Toronto.

And whereas the said Patrick Louis Connor assigned all his interest in the said Agreement to William Field of the City of London, in the said Province, by consent of the Lieutenant-Governor-in-Council.

And whereas the said William Field subsequently with the like consent assigned all his interest in the said Agreement to the Company.

And whereas the Company have expressed a desire to manufacture rope as provided in said Agreement, and the Inspector and Provincial Secretary have consented thereto.

Now, therefore, the Inspector and the Company for itself, its successors and assigns agree as follows:—

1. The Company is hereby permitted to manufacture rope of all sizes up to two inches in diameter, which shall include all kinds of cordage, twine and lath yarn capable of being produced with the Central Prison Cordage plant as equipped by the Company for this purpose; and it is agreed that all machinery necessary to be added to the present prison plant for the purpose of carrying out this object, shall be provided and be installed by, and at the cost of the Company; but subject as to price, and special make of machinery selected, and the manner of its installation, to the written approval of the Inspector.

2. The Company shall be re-imbursed the amount paid in providing and installing such rope-making machinery as has been approved in writing by the Inspector, by setting apart from the total sum payable by the Company to the Inspector whatever amount such sum total may be in excess of the amount payable on a daily average output of two and a half tons of rope, twine and yarn for each working day of ten hours during the year, it being understood and agreed that the Inspector shall first receive payment for two and a half tons of product as a daily average in each year, and that only the accruals from a larger average product shall be applied towards re-imbursing the Company.

3. After the Company has been re-imbursed the actual cost incurred in providing and installing the rope-making machinery as hereinbefore provided, it shall in like manner be re-imbursed interest at the rate of six per cent. per annum on its expenditure, such interest to be calculated from the time when under the terms of purchase of the said machinery, the price became payable until such time as the accruals under the second clause of this Agreement, estimated on a basis of one and one-half tons per day, equal the actual cost incurred in providing and installing the said rope-making machinery; the interest to be calculated at the end of each year on that portion of the cost yet remaining unsatisfied. But in case the product in any year does not equal an aver-

age of four tons per day, and the failure to manufacture such average of four tons per day is due to any cause or causes for which the Company or its successors or assigns is or are responsible, then allowance shall be made in any calculation for the reduced output arising from such cause or causes from time to time: provided that the Company shall not be entitled to any such allowance, unless notice in writing has been given to the Inspector and the Provincial Secretary within forth-eight hours after the happening of the event, in respect of which the claim for an allowance is made. The Provincial Secretary on receipt of such notice shall determine whether the Company is entitled to an allowance as claimed, and his decision thereon shall be final and binding.

4. If the machinery is clear of all liens other than to the Inspector, the amount of accruals to be so set apart may be transferred to reimbursement account provisionally at the end of each month until at the end of the year, the final amount to be transferred for the year shall be determined by the daily average output for the whole year, and it is agreed that all amounts so transferred shall become a lien on the machinery in respect of which the transfer is made.

5. The Inspector agrees to appoint a machinery expert approved by the Company, but at a cost not to exceed $1,500 per year, to take charge of the machinery while in operation, and exercise supervision over it; and it shall be the duty of such expert to see that the machinery is kept in a condition to work at all times to its fullest capacity, and that repairs and renewals when necessary are properly made and attended to by the Company promptly and efficiently.

It is also agreed that as the services of the said expert will be to the mutual advantage of the parties in interest, in operating the plant, one-half of any salary paid him, shall at the end of each month be charged to and be paid by the Company; and it is further agreed that the cost of providing the said expert is conditioned on an average output of not less than four tons per day, commencing with the first day of March, 1899, and in the event of a smaller average daily production after the said date, an additional proportion of the expert's salary shall also be charged to the Company; provided that in the event of the daily average of four tons per day for the year being exceeded, ten per cent. of the accruals from such excess, but not to exceed in all in any one year the amount charged the Company during the year on account of the expert's salary, shall be allowed the Company.

6. The Company agree that no liability shall attach to the Inspector, and that he shall be held harmless and be indemnified by them against any claim arising out of or occasioned by any act or omission of such expert in the course of his employment, the said expert being regarded for such purpose as a servant or employe of the Company and not of the Government or of the Inspector.

7. The Company agree to make in each and every year at least a sufficient quantity of good merchantable binder twine, to fill with promptness all orders therefor which it shall receive from farmers for the twine required by them for use on their own farms, and will fill such orders at prices not exceeding the scale of prices provided under said agreement.

8. This Agreement shall be read as part of the Agreement between the Inspector and Patrick Louis Connor hereinbefore referred to, and shall be subject to all its provisions except when and where herein varied in respect to the installation of rope-making machinery, and the manufacture of rope or otherwise.

9. It is agreed that the said Agreement between the Inspector and Patrick Louis Connor shall be, and the same is hereby extended for a further period of five years from the first day of October, 1900, and shall remain in force until the first day of October, 1905, and that this Agreement shall run concurrently therewith.

10. Provided always that if the Agreement between Patrick Louis Connor and the Inspector of Prisons of the twenty-fifth day of September, 1895, or this Agreement should before the first day of October, A.D. 1905, be terminated for any reason not in any wise resulting from any act or default on the part of the Company, its agents or servants, or its successors or assigns, but from causes wholly beyond their control and the accruals credited hereunder do not equal the cost of the machinery as installed by the Company under this contract with interest to such date, in such case the Inspector shall pay the Company or its assigns within sixty days thereafter the amount that the cost of the machinery as installed with interest as aforesaid may be in excess of the accruals so credited as aforesaid to the said date.

In witness whereof the said Inspector and the said Company by its President and Secretary have signed this Agreement and have affixed their corporate seal the day and year first above written.

Signed, sealed and delivered in the presence of

As to signature of

JAMES NOXON,
F. M. NICHOLSON.

JAMES NOXON.

[Seal].

THE INDEPENDENT CORDAGE COMPANY OF ONTARIO, (Limited).

(Signed) W. C. BONNELL,
President.
H. H. DEWART,
Secretary.
[Seal].

C. E. PATTERSON

As to execution by The Independent Cordage Company (Limited).

(No. 59).

Report of the Master of Titles for the year 1898. Presented to the Legislature, 23rd March, 1899. *Not printed.*

(No. 60).

Report of the Principal of Upper Canada College for the year ending 30th June, 1898, and statements showing receipts and disbursements for the same period. Presented to the Legislature, 23rd February, 1899. *Not printed.*

(No. 61).

Copy of Contract, between Her Majesty the Queen and the Riordan Paper Company, for the supply of printing paper required by the Government of the Province of Ontario. Presented to the Legislature, 23rd February, 1899. *Not printed.*

(No. 62).

Return to an Order of the House of the seventeenth day of August, 1898, for a Return showing the number of saw-logs cut during the winter of 1897-1898 on the limits of the Georgian Bay and on Lakes Huron and Superior, which were driven to either of said lakes; the quantity cut in Provincial mills, and the quantity exported uncut. Presented to the Legislature, 23rd February, 1899. Mr. *Beatty* (*Leeds*). *Not printed.*

(No. 63).

Return to an Order of the House of the twenty fourth day of August, 1898, for a Return of copies of all correspondence between any member of the Government or representative thereof, and any party or parties, respecting the purchase of any timber berth that may have been sold since March 1st, 1898. Presented to the Legislature, 28th February, 1899. Mr. *Wardell. Not printed.*

(No. 64).

Return to an Order of the House of the twenty-second day of February, 1899, for a Return of copies of all correspondence between any member of the Government and the License Inspector for the County of Lincoln, and any other person or persons, referring to or respecting the alleged connection of the Inspector with the business of cigar manufacture. Presented to the Legislature, 28th February, 1899. Mr *Jessop*. *Not printed.*

(No. 65).

Return to an Order of the House of the seventeenth day of February, 1899, for a Return of copies of all papers and documents in relation to the proposed contract for public printing, including specifications, tenders and a comparative statement shewing the different tenders for each item of the specification and the estimate of quantities required. Also, the total estimated amount of each tender. Also, of copies of all correspondence, if any, between the Queen's Printer and the heads of Departments as to preparation of specifications for contract for public printing. Also, of all reports, if any, of expert printers as to details of said specifications and also of all other correspondence appertaining thereto, or to the letting of the contract or conditions required from the contractor. Presented to the Legislature, 3rd March, 1899. Mr. *Matheson*. *Not printed.*

RETURN

To an Order passed by the Legislative Assembly on the 26th day of February, 1897, for a Return giving the names of all High School Teachers who have received Specialists' Certificates since 1885 as the result of examinations. The names of such Teachers who received Specialists' Certificates on any other ground, stating the year in which such Certificate was granted, on what grounds, and University standing of the recipient. Names of all applicants for such Certificates who have been refused them, and on what grounds such refusal was based.

E. J. DAVIS,
Secretary.

Provincial Secretary's Office,
Toronto, 9th March, 1899.

SCHEDULE.

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Names of those who received Certificates in		1887	6
"	"	1888	6
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"		1892	10
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"	"	1894	11
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MEMORANDUM *re* SPECIALISTS' CERTIFICATES.

The High Schools Act of 1871 provided for the first time for the establishment of Collegiate Institutes. The law provided that a High School might be erected into a Collegiate Institute if it had an average attendance of sixty classical pupils, and at least four masters. The Principal was required to be a University graduate in Arts, but the qualifications of the Assistants were not prescribed. Subsequently, it was found desirable to do away with the requirement regarding a certain average attendance of pupils in Latin, but it was provided by Regulation that each master should be specially qualified for his department.

In 1887, Regulation 60 of the Education Department provided as follows :—

"No one shall rank as a Specialist in a Collegiate Institute who does not possess at least a Departmental First Class Certificate, Grade A, or who has not passed an examination which is recognized by the Education Department as its equivalent in the department for which rank as a Specialist is applied for; but all other teachers who have been accepted as Specialists and who are now engaged in teaching as Specialists in Collegiate Institutes, shall retain their rank."

In December, 1889, the following Regulation was prescribed :—

"The qualifications for Specialists under section 13 of the High Schools Act shall be as follows :—

"(1) At least a non-professional First Class Certificate Grade A, obtained on one or another of the special courses set forth in Regulation 115, or the equivalent thereof; or

"(2) A degree in Arts from any chartered University in the British Dominions, with at least ten years' experience in an Ontario High School, and with satisfactory results of school work done, and first class grading on inspection obtained, before the first day of July, 1889, in one or another of the departments in which Specialist standing is recognized as above."

It will be noticed that the Regulation of 1887 allowed teachers already engaged as Specialists to retain their rank, and did not require them to pass any examination or even to obtain a certificate. The Regulation of 1889 enabled all High School teachers who were engaged in High Schools or in Collegiate Institutes to obtain certificates without passing any examination, if they complied with the requirements of the Regulation of that year, as here qoted. As a consequence of this provision, a large number of teachers applied, in 1890, for the certificates to which they were entitled. As will be seen by the list, the names of many teachers were included, who had been teaching for a great many years in High Schools or Collegiate Institutes.

In 1893 the Department decided to publish in the Aunual Report the full list of teachers engaged in the High Schools and Collegiate Institutes, together with their qualifications. In order that every teacher might be credited with the certificate to which he was entitled, a formal request was made to the teachers of different schools, to give the information necessary in order that the certificates to which they were entitled might be awarded. The effect of this intimation was to have a number of certificates awarded in 1894 to persons who were entitled to such certificates in previous years, and who would have obtained them if they had made the necessary application to the Department. The names of those who received Specialists' certificates under the provisions of the Regulation, in 1894, are included. It will be seen that in this year also several High School teachers of long experience were awarded Specialists' certificates, which they might have obtained before had the necessary application been made.

JOHN MILLAR,
Deputy Minister of Education.

RETURN of the names of all High School Teachers who have received Specialists' Certificates since 1885, as the result of examination ; of those who have received them on any other grounds, and the University standing of the recipients.

Candidate's name.	University.		Otherwise Qualified.	Result of Examination.	Department for which Specialist Standing was granted.
1887					
Bonis, Henry	B.A.	Toronto	.....	1	Classics.
Crawford, J. T.	"	"	....	1	Mathematics.
Dickson, James	"	"	.....	1	"
Elliott, Thos. E	"	"	.....	1	French and German.
Flach, U. J	"	"	.....	1	Mathematics.
Freeman, J. A	"	"	.....	1	Classics.
Gibbard, A. H	"	"	.....	1	English, French and German.
Guilet, Chephas	"	Victoria	.....	1	" " "
Hardie, C. J	"	Toronto;	.....	1	French and German.
Jeffries, John	3 yrs.	"	....	1	English, French and German.
Kenner, H. R. H	3 yrs.	"	....	1	Classics.
Massey, N. L	B.A.	Victoria	.....	1	Mathematics.
Montgomery, W	3 yrs.	Toronto	.....	1	"
Parker, Francis R	B.A.	"	.....	1	Classics.
Robinson, W. F	"	"	.....	1	Mathematics.
Sidley, Henry R	"	Trinity	...	1	Classics.
Sliter, Ernest O	"	Toronto	..	1	"
Spence, Nellie	"	"	....	1	"
Stratton, A	"	"	.....	1	"
Barclay, W. B. C	"	Queen's	1	.....	Classics and English.
1888					
Milner, Wm. S	B.A.	Toronto,	1	.....	Classics.
Barron, Rob't. A	"	"	1	.....	English, French, German and Classics.
Crawford, H. J	"	"	1	.....	Classics.
Libby, Walter H	"	Victoria	1	.....	English.
Lochead, Wm	"	McGill	1	.....	Mathematics and Science.
Holgate, Thos. F	"	Victoria	1	.....	Mathematics.
Elliott, Thos. E	"	Toronto	1	.....	English.
Conboy, Daniel	"	Queen's	1	.....	French and German.
Wilson, G. D.	"	Toronto	1	.....	Classics and English.
Balmer, Eliza	"	"	.....	1	English, French and German.
Cairns, J. F	2 yrs.	Victoria	...	1	Classics.
Dales, John N	B.A.	Toronto	.....	1	English, French and German.
Galbraith, D. E	"	"	.....	1	Classics.
Griffin, Jas. A	"	"	.....	1	Science.
Holland, Rich. I	"	Victoria	.....	1	"
Hardy, Ed. A	"	Toronto	.....	1	English, French and German.
Hill, Ethelbert, L	"	"	....	1	Science.
Hogarth, Eber S	"	"	...	1	English, French and German.
Jones, Alice	"	"	.....	1	" " "
Jamieson, Thos	"	Victoria	...	1	Mathematics.
Knox, A. A	"	Toronto	.....	1	Science.
Leacock, S. B	2 yrs.	"	.....	1	Classics.
McGeary, Jno. H	M.A.	"	.....	1	Mathematics.
Philp, Jas. H	B.A.	"	.....	1	"
Prendergast, Wm	"	"	....	1	"
Ross, Alex. H. D	"	Queen's	.....	1	"
Reed, Geo. Henry	"	Toronto	.....	1	Classics.
Radcliffe, S. J	"	"	.....	1	English, French and German.
Burt, A. W	"	"	1	.....	" " "
Mulloy, C. W	"	"	1	...	Classics.
1889					
Eastwood, Ida G	B.A.	Toronto	...	1	English, French and German.
Ferguson, Wm. C	"	"	.....	1	" " "
Farrell, Thos. H	"	Queen's	.....	1	Mathematics.
Fenton, Wm. J	"	Toronto	.....	1	Classics.

RETURN of names of High School Teachers, etc.—*Continued.*

Candidate's name.	University.		Otherwise Qualified	Result of Examination.	Department for which Specialist Standing was granted.
1889					
French, F. W	B.A.	Toronto		1	Classics.
Gill, James	"	"		1	Mathematics.
Hull, Gordon, F	2 yrs.	"		1	"
Lang, Augusta E	B.A.	Victoria		1	English, French and German.
Lennox, Mary	"	Toronto		1	French and German.
Mitchell, Geo. W	"	Queen's		1	Classics.
Mills, John H	"	"		1	"
Messmore, F	"	Toronto		1	"
McClement, W. T	M.A.	Queen's		1	Science.
McGee, Cyril H	B.A.	Trinity		1	Mathematics.
McNamara, F. R	"	Toronto		1	English.
Patterson, Wm. J	"	Queen's		1	Mathematics.
Robson, Jessie H	"	Toronto		1	English, French and German.
Stevenson, Louis	"	Victoria		1	Mathematics and Science.
Schofield, W. H	"	"		1	English, French and German.
Stephenson, Lionel B	"	Toronto		1	Classics.
Stewart, Etta M	"	"		1	English, French and German.
Waugh, John	"	"		1	Classics.
Woods, Emma O	3 yrs.	Victoria		1	English, French and German.
Tremeer, Jas	B.A.	"	1		Classics.
Wilson, Harry L	M.A.	Queen's	1		"
Forrest, Wm	B.A. / M.B.	Toronto	1		Science.
Smellie, Wm. K	B.A.	"	1		"
Levan, Isaac M	"	"	1		Classics, English and Moderns.
Briden, Wm	"	Queen's	1		English.
Crassweller, C. L	"	Toronto	1		Mathematics.
Wilkins, C. F. H	"	"	1		Science.
Corkill, E. J	"	Queen's	1		"
Cornwell, L J	"	Toronto	1		Mathematics.
Whitney, W. A	"	Victoria	1		Classics.
Jamieson, Thos	"	"	1		Mathematics.
Barclay, W. B C	"	Queen's	1		Classics and English.
Strang, Hugh I	"	Toronto	1		Classics.
Hogarth, G. H	"	"	1		Mathematics.
Wilson, John	"	"	1		English.
Coates, D. H	"	"	1		Mathematics.
Gibbard, A. H	"	"		1	English, French and German.
Metzler, Wm. H	"	"	1		Mathematics and Science.
Milden, A. W	"	"	1		Classics.
McIntosh, Angus			1st A	1	English.
Murray, Robt			1st A	1	"
Fessenden, C	"	Trinity	1		Mathematics.
Hamilton, J. R	"	Toronto	1		Science.
Carruthers, A	"	"	1		Classics.
Seymour, W. F			1st A	1	Mathematics.
Elliott, John	"	Queen's	1		" and English.
Paterson, R. A	"	Toronto	1		Mathematics.
Reid, Jos	"	"	1		Classics.
Hardie, C. J	"	"		1	French and German.
Cowley, R. H			1st A	1	English.
Moran, John M			1st A	1	Science.
Bonis, Henry	"	Toronto		1	Classics.
Turnbull, James	"	"	1		Classics, English, French and German.
Macpherson, F. F	"	"		1	English, French and German.
Allen, Thomas G	M.A.	Queen's		1	Science.
Clayton, A. H. R	B.A.	Toronto		1	English, French and German
Cooke, John	"	Queen's		1	Classics.
Curle, Wm	"	"		1	Mathematics.
Copland, Jas. S	"	Toronto		1	Science.
Perry, S. W	"	Victoria	1		Classics.
Schmidt, O. L	"	Toronto	1		"
Martin, Stephen	"	"	1		Mathematics.
Hagarty, E. W	"	"	1		Classics.

Detailed Estimate of Expenditure, Year 1898-9.

Salaries.	Estimated amount, year ending 30th June, 1899.	Amount paid year ending 30th June, 1898.
	$ cts.	$ cts.
1. Bursar's Office:		
Bursar	1,600 00	1,600 00
Accountant	1,000 00	1,000 00
	2,600 00	2,600 00
2. Library:		
Librarian (salary at $1,800, for six months, $900; a $1,900, for six months, $950)	1,850 00	1,750 00
First Assistant	500 00	487 50
Second Assistant	325 00	300 00
Temporary Assistant (four summer months at $25)	100 00	
Delivery Clerk (salary at $40 per month for eight months)	320 00	400 00
Delivery Clerk (salary at $10 per month for eight months)	80 00	
Caretaker (salary at $500 for three months)	125 00	500 00
" (salary at $450 for nine months)	337 50	
	3,637 50	3,437 50
3. General as between University and University College:		
President (also paid as Professor of Physics)	1,800 00	1,800 00
Janitor (salary at $420, for three months, $105; at $480, for nine months, $360)	465 00	420 00
Gardener (salary at $100, for three months, $25; at $480, for nine months, $360)	385 00	100 00
Engineer (with rooms and fuel)	576 00	576 00
Fireman (salary at $35 per month, for eight months)	280 00	278 75
Carpenter (salary at $450, for three months, $112.50; at $540, for nine months, $405)	517 50	450 00
Cleaner of buildings (salary at $312, for three months, $78; at $360, for nine months, $270)	348 00	312 00
Attendant on cloak room and lavatory, at $25 per month for seven months		175 00
	4,371 50	4,111 75
4. Pensions:		
E. J. Chapman	1,800 00	1,800 00
J. M. Hirschfelder	1,000 00	1,000 00
	2,800 00	2,800 00
5. University of Toronto, general:		
Vice-Chancellor		
Registrar	1,500 00	1,450 00
Registrar's Assistant (also paid as Lecturer in Greek)	200 00	200 00
Bedel and attendant on Senate	800 00	750 00
Architect	100 00	100 00
	2,600 00	2,500 00
6. Teaching staff, etc., University of Toronto:		
(a) Modern History and Ethnology:		
Professor (salary at $2,800, for three months, $700; at $2,900, for nine months, $2,175)	2,875 00	2,775 00
	2,875 00	2,775 00
(b) Political Science:		
Professor (salary at $3,000, for three months, $750; at $3,100, for nine months, $2,325)	3,075 00	2,975 00
Professor of Constitutional and International Law	1,000 00	1,000 00
Professor of Roman Law, Jurisprudence and History of English Law	1,000 00	1,000 00
Fellow	500 00	500 00
	5,575 00	5,475 50

DETAILED ESTIMATE OF EXPENDITURE, YEAR 1898-9.—*Continued*

Salaries.	Estimated amount year ending 30th June, 1899	Amount paid year ending 30th June, 1898.
Teaching staff, etc., University of Toronto.—*Continued.*	$ c	$ c.
(*e*) Mathematics:		
Professor	3,200 00	3,200 00
Lecturer (salary at $1,500 for three months, $375; at $1,600 for nine months, $1,200)	1,575 00	1,475 00
Fellow	500 00	500 00
	5,275 00	5,175 00
(*d*) Physics:		
Professor	3,200 00	3,200 00
Demonstrator	1,800 00	1,800 00
Lecturer (salary at $1,500 for three months, $375; at $1,600 for nine months, $1,200)	1,575 00	1,475 00
Assistant Demonstrator	1,000 00	1,000 00
Fellow		
Mechanical Assistant	1,000 00	1,000 00
	8,575 00	8,475 00
(*e*) Chemistry:		
Professor	3,200 00	3,200 00
Demonstrator (salary at $1,600 for three months, $400; at $1,700 for nine months, $1,275)	1,675 00	1,575 00
Lecturer (salary at $1,200 for three months, $300; at $1,300 for nine months $975)	1,275 00	1,175 00
Lecture Assistant	500 00	500 00
Assistant	500 00	500 00
Attendant	504 00	504 00
Cleaner (salary at $135 for six months, $67.50; at $180 for six months, $90)	157 00	
	7,811 00	7,454 00
(*f*) Mineralogy and Geology:		
Professor (Acting)	500 00	500 00
Instructor	600 00	600 00
Attendant	200 00	200 00
	1,300 00	1,300 00
(*g*) Biology:		
Professor	3,200 00	3,200 0
Associate Professor of Physiology (salary at $2,300 for three months, $575; at $2,400 for nine months, $1,800)	2,375 00	2,275 00
Lecturer (salary at $1,500 for three months, $375; at $1,600 for nine months, $1,200)	1,575 00	1,475 00
Assistant Demonstrator	1,000 00	1,000 00
Fellow	500 00	500 00
Sub-Curator of Museum	750 00	750 50
Attendant and Caretaker	500 00	500 00
Boy cleaner	180 00	180 00
	10,080 00	9,869 50
(*h*) Italian and Spanish:		
Associate Professor (salary at $2,300 for three months, $575; at $2,400 for nine months, $1,800)	2,375 00	2,275 00
Temporary Instructor in Italian	350 00	250 00
Temporary Instructor in Spanish	50 00	50 00
	2,775 00	2,575 00

RETURN of names of High School Teachers, etc.—*Continued*

Candidate's name.	University.		Otherwise qualified.	Result of Examination.	Department for which Specialist Standing was granted.
1891					
Addison, Margt. E	B.A	Victoria	1		English, French and German.
Bunnell, Effie M	"	Toronto		1	" "
Cushing, A. B	2 yrs	"		1	Classics.
Doidge, T. C	B.A.	"		1	Mathematics.
Highet, Minnie	"	Victoria		1	English, French and German.
Jones, Laura L	"	Toronto		1	" "
Kerr, Edith M	"	Victoria		1	" "
Minns, Jas. Ed	"	"		1	Science and Mathematics.
Marquis, T. G	"	Queen's		1	English.
Mills, Geo			1st A	1	Science.
McGowan, John	B.A	Toronto		1	Mathematics.
McKay, Donald	"	"		1	Classics.
McLay, W. S. W	"	"		1	English, French and German.
McKellar, John	"	"		1	Mathematics.
MacMurchy, N	"	"		1	Science.
Hoag, J. P	3 yrs	"		1	Mathematics and English.
Olds, Walter P	B.A	Victoria		1	Science.
Rand, W. E	"	Toronto		1	Mathematics.
Rose, Jennie May	"	"		1	Classics.
Sykes, Wm. J	"	Victoria		1	English, French and German.
Slemon, Ed. T	"	"		1	Mathematics.
Simmons, W. C	2 yrs	Toronto		1	Science.
Sawyer, F. L	B.A	"		1	Mathematics.
Sidney, T. K		Victoria		1	Classics and English.
Watterworth, M. D	"	"		1	English, French and German.
Walker, Duncan	"	"		1	Mathematics.
Hardie, Wm	"	"		1	Classics.
1892.					
McClement, W. T	M.A	Queen's		1	Science.
Schofield, W. H	B.A	Victoria		1	English, French and German.
Fenton, Wm. J	"	Toronto		1	Classics.
Robertson, J. C	"	"	1		Classics and English
Allen, Thos. G	M.A	Queen's	1		Science.
Patterson, Wm. J	B.A	"		1	Mathematics.
Bowerman, J. T			1st A	1	English.
Pakenham, Wm	B.A	Toronto	1		English, French and German.
Freeman, J. A	"	"		1	Classics.
Michell, F. L	M.A	"	1		Mathematics.
Ferguson, W. C	B.A	"		1	English, French and German.
Snider, E. E	"	Victoria		1	Mathematics.
Irvine, Wm. H	"	Queen's	1		"
Marshall, J.	"	"	1		English.
Henderson, A. H			1		Commercial.
French, F. W	B.A	Toronto		1	Classics.
Greenwood, W. J	"	Victoria	1		"
Cooke, J. A	"	Queen's	1		"
Blackstock, Jas	"	Toronto	1		English, French and German.
Farrell, T. H	"	Queen's		1	Mathematics.
1893.					
Northwood, A. P	3 yrs	Toronto		1	English.
Stevenson, O. J	2 "	"		1	"
Bell, Walter N	2 "	"		1	Classics.
Revell, Daniel G				1	Science.
Commos, Ernest	3 "	Toronto		1	Classics.
Gavin, Fred. P				1	Science.
Bald, Wm. F	B.A	Toronto		1	Classics.
Gill, James	"	"		1	Mathematics.
Morgan, Sydney	"	"		1	Classics.
Messmore, Frank	"	"		1	"
Grant, Wilbur	2 yrs	"	1		Mathematics.

RETURN of Names of High School Teachers, etc.—*Continued.*

Candidate's Name.	University.		Otherwise Qualified.	Result of Examination.	Department from which Specialist Standing was granted.
1893.					
Platt, Claribel	B.A.	Toronto		1	English, French and German.
Brough, Thos. A.	"	Queen's	1		English.
Mitchell, G. W	"	"		1	Classics.
Maclean, G. V.	"	Toronto	1		Mathematics.
Sundry, A. P				1	Science.
Pope, Fred. J	M.A.	Queen's		1	"
Hunter, D. H	B.A.	Toronto		1	Classics.
Smith, Jas. H.	M.A.	Queen's	1		Science.
Jenkins, W. H	B.A.	Toronto		1	"
Rutherford, W. R	"	"		1	Classics. English, French and German.
Faskin, G. R.	"	"		1	English.
Stafford, Joseph	"	"		1	Science.
Quance, Noah	"	"	1		Classics.
Fletcher, W. H.			1st A	1	Commercial.
Massey, A.	B.A.	Victoria		1	English and Mathematics.
Packham, J. H.	"	Albert	1		Mathematics and Commercial.
Norris, Jas.	M.A.	Queen's		1	Mathematics.
Johnston, J. R	B.A.	"	1		"
Currie, P. W	3 yrs	Toronto		1	Science.
Cloney, S. L.				1	French and German.
Odell, J. W	B.A.	Toronto		1	Mathematics.
Thorn, Jas	M.A.	Queen's		1	French and German.
1894.					
Stanley, T. E.	B.A.	Toronto	1		Mathematics.
Walker, Duncan	"	"		1	"
Hay, Andrew			1st A1		"
Bell, Walter N.	B.A.	Toronto	1		Classics.
Campbell, John	M.A.	Victoria	1		"
Fenwick, M. M.	B.A.	Toronto	1		"
Cody, Wm. S.	"	"	1		Mathematics.
Spotton, H. B.	"	"	1		Classics and Science.
Lillie, John T.	"	Victoria	1		Classics.
Hamilton, R. S.	"	Toronto	1		Science.
Passmore, S. F.	"	"	1		Classics.
Paterson, D. S.	"	"	1		English, French and German.
Twohey, W. J. J.	"	"	1		Classics.
Williams, Wm	"	"	1		English, French and German.
Logan, C. J	"	Trinity	1		Classics.
Wright, A. W.	"	Toronto	1		French and German.
De Guerre, A.	"	"	1		Mathematics.
Turner, J. B	"	Queen's	1		Mathematics and Science.
Briden, Wm.	"	"	1		English and Classics.
Harstone, John C.	"	Toronto	1		Mathematics.
Stevens, W. H.	"	McGill	1		Science.
Gray, R. A.	"	Toronto	1		Mathematics.
Jamieson, J. S.	M.A.	Victoria	1		English.
Henry Thos. M.	B.A.	Toronto	1		Mathematics.
Scott, Colin A	"	Queen's	1		Science.
Little, John G	"	Toronto	1		Mathematics.
Passmore, A. D.	"	"	1		Classics.
Mayberry, C. A	"	"	1		"
Wetherell, Jas. E.	"	"	1		English and Classics.
Haight, Milton	"	"		1	Mathematics.
Alexander, L. H.	"	"	1		English, French and German.
McIntyre, E. J.	"	"	1		" "
Follick, T. H	"	Victoria	1		Science.
Riddell, F. P.	"	Toronto	1		Classics.
McMurchy, A	"	"	1		Mathematics.
Chase, G. A.	M.A.	"	1		English, French and German.
Shaw, Geo. E	B.A.	"	1		" "
Crawford, Wm. G	"	"	1		Classics.
McEachern, Neil	"	"	1		Science.

RETURN of Names of High School Teachers, etc.—*Continued.*

Candidate's name.	University.		Otherwise Qualified.	Result of Examination.	Department for which Specialist Standing was granted.
1894.					
Smyth, Thos H	M.A	Toronto	1		Science.
Embree, Luther E	"	"	1		Classics, English, French and German.
Smith, G. A	B.A	"	1		Science.
Libby, M. F	"	Victoria	1		English.
Birchard, I. J	"	Toronto	1		Mathematics.
Lennox, T. H	"	"	1		Science.
McGregor, P. C	"	Queen's	1		Classics.
Flach, U. J	"	Toronto		1	Mathematics.
McMurchie, J	"	"	1		"
Elliott, Wm	"	"	1		"
Dickson, J. E	"	"	1		Classics and English.
Fitzgerald, E. S	"	Queen's	1		Classics.
Davidson, John	"	Victoria	1		"
Smith, Lyman C	"	"	1		"
Clark, Jos. C	"	Toronto	1		"
Christie, J. D	"	"	1		English, French and German,
Morgan, Jos	"	"	1		Classics.
McKay, Donald	"	"	1		"
Bald, May B.	"	"	1		"
Lees, Richard	M.A	Queen's	1		Science.
Spence, Nellie	B.A	Toronto		1	Classics and English.
Edward, C. M			1		Mathematics.
Logan, W. M	B.A	Toronto	1		Classics.
Arthur, C. C	M.A	Queen's		1	Science.
Shields, A. M	B.A	Toronto	1		English and History.
Merchant, F. W	M.A	Victoria	1		English, Science and Mathematics.
Smith, Lyman C	"	"	1		English and History.
Libby, M. F	B.A	"	1		English and History and Mathematics.
Hotson, Alex	M.D	Western	1		Science.
Galbraith, D. E	B.A	Toronto		1	Classics.
Rogers, James C	"	Queen's	1		French and German.
Doxsee, W. M	"	Victoria		1	Mathematics.
Sherin, Fred	M.A	"	1		"
Wellwood, N. J	B.A	Toronto	1		"
Carter, Janet W	"	"		1	French and German.
Govenlock, W. M	"	"		1	Mathematics.
Bruce, Ed. W			1st A	1	"
Graham, R. G	B.A	Victoria		1	"
Norman, L				1	French and German.
Potter, Chas	B.A	Toronto	1		Mathematics.
Ryerson, Jesse	"	"	1		"
Stevenson, A	"	"	1		English and History.
Perry, Peter	M.A	"	1		Classics.
McJanet, Thos				1	English and History.
Conklin, J. D				1	Commercial.
Dobbie, W. J				1	"
Evans, W. E				1	"
Henderson, M				1	"
McCutcheon, C. J. K				1	"
Scott, R. H				1	"
Walker, D. McK				1	"
Ward, Wm				1	"
Sinclair, S. B	B.A	Victoria	1		Mathematics.
Tamblyn, W. W	M.A	Toronto	1		Classics, English, French and German.
Elliott, W. H	B.A	Queen's		1	English and History.
McLean, E. M			1st A	1	Science.
Liebner, E. O				1	"
McBride, D	B.A	Victoria	1		Mathematics and Classics.
Hutcherson, E. B	"	Toronto		1	Science.
Jenkins, R. S	"	"		1	French and German.
McKellar, H. S	"	"		1	"
McVannel, J. A	"	"		1	Classics.
Wilson, A. G	"	"		1	Science.
Fleming, E. C	"	"		1	English and History, French, German.

RETURN of Names of High School Teachers, etc.—*Continued.*

Candidate's name.	University.		Otherwise Qualified.	Result of Examination.	Department for which Specialist Standing was granted.
1894.					
Lindsay, A.	B.A.	Toronto		1	Mathematics.
Bell, F. H.	"	"		1	French and German.
Muldrew, W. H.	3 yrs.	Queen's		1	Mathematics and Science.
McDonald, G. L.	B.A.	Toronto		1	English, French and German.
Johnston, Mary	"	"		1	English and History.
Pattee, Ada				1	"
Rose, Nellie				1	French and German.
Skinner, Kate C.	B.A.	Toronto		1	English and History, Fren. and Germ.
Ewing, Wm. C.	3 yrs.	Queen's		1	Science.
McRitchie, A. E.	B.A.	Toronto		1	"
Nelson, John	3 yrs.	Queen's		1	Mathematics.
Wilson, Henry E.	B.A.	Toronto		1	Classics.
1895.					
Knight, W. W			1st A	1	Mathematics.
Arthur, C. C.	M.A.	Queen's		1	Science.
Teskey, Edith A	B.A.	Toronto		1	Classics.
Prendergast, Wm	"	"		1	Mathematics
Howard, E. S.	"	Victoria		1	English and History.
Murray, Thos.	"	Toronto		1	Mathematics.
Ross, Charlotte.	"	"		1	English and History.
Doxsee, W. M.	"	Victoria		1	Mathematics.
Brebner, Jas	"	Toronto	1		Classics.
Kirkconnell, T. A	"	Queen's	1		Mathematics.
Bruce, Ed. W	"	Toronto		1	"
Hillock, Julia S.	"	"		1	French and German.
Copland, J. S.	"	"		1	Science.
Mackenzie, Mary A.	"	"		1	French and German,
Selwood, F. S	2 years	"		1	Science.
Radcliffe, S. J.	B.A.	"	1		English, French and German.
Rand, Wilfred E.	"	"		1	Mathematics
Howard, E. S.	"	Victoria		1	English and History.
Pope, F. J	M.A.	Queen's		1	Science.
Marquis, Thos. G.	B.A.	"		1	English and History.
Minns, J. E.	"	Victoria		1	Mathematics and Science.
Ross, Ralph	"	Toronto		1	Classics.
Newman, Geo. E.	"	Queen's		1	English and History.
Robertson, H. S.	"	Toronto		1	Mathematics.
Black, Jas. S.				1	Commercial.
Sykes, W. J.	B.A.	Victoria		1	English and History, Fren. and Germ.
Hooper, R. E.	"	Toronto		1	Science.
Tucker, Geo. L	"	"		1	Mathematics.
Witton, J. G.	"	"		1	"
Doidge, Thos. C.	"	"		1	"
McMurchy, N.	"	"		1	Science.
Grey, J. W.	"	Victoria	1		Classics.
Silcox, Sidney	"	Toronto		1	Science.
Gavin, Fred. P.			1		"
Anderson, Geo. R.	B.A.	Toronto		1	Mathematics.
Climie, Jessie R.	"	"		1	English and History, Fren. and Germ.
Stevenson, O. J	M.A.	"		1	English and History.
Chrysler, M. A.	B.A.	"		1	Science.
Emery, J. W.				1	"
Grant, B. D				1	"
Husband, A. J.	3 years	Toronto		1	French and German.
Knox, W. J	B.A.	"		1	Science.
Garvin, J. L	"	"		1	Mathematics.
Robertson, H. S.	"	"		1	"
Norris, Isaac T	"	Queen's		1	"
Rosevar, Howard S.	A.M.	Cambr'ge		1	Science.
Rudlen, Geo. W.	B.A.	Toronto		1	Mathematics.
Barber, Ida M.	"	"		1	English and History.

RETURN of Names of High School Teachers.—*Continued.*

Candidate's name.	University.		Otherwise Qualified.	Result of Examination.	Department for which Specialist Standing was granted.
1895.					
Cook, Margaret	B.A...	Toronto..	.....	1	English and History, Fren. and Germ.
Frost, Francis H	" ..	"	.....	1	Mathematics.
Johnston, Mary	" ..	"	.....	1	French and German.
Spence, Frances	" ..	"	.....	1	English, French and German.
Sills, Wm. R	M.A ..	Queen's .	.....	1	Mathematics.
Treleaven, John W	B.A...	Toronto..	.....	1	Classics.
Attwood, Albert E	3 years	Queen's .	.....	1	Science.
Mills, Harriet B	3 years	Toronto..	.....	1	French and German.
Bennett, Chas. V	B.A...	Queen's .	.....	1	Classics.
Brown, Harry W	" ..	Toronto..	.....	1	French and German.
Chisholm, Wm. I	M.A .	Queen's .	.....	1	Science.
Fry, Frank DeW	B.A...	Toronto..	.....	1	English and History.
Howell, Wm B. L	" ..	"	.....	1	Classics.
Kilmer, Earnest E. C	2 years	"	.....	1	Science.
Locke, Geo. H	B.A...	"	.....	1	Classics.
McCool, John	" ..	"	.....	1	Eng. and History, French and German.
MacDonald, Jas	M.A ..	Queen's .	1	....	Classics.
Rogers, Jas. C	B.A...	"	.....	1	English and History.
Stone, Sam. G	" ..	Toronto..	.....	1	Classics.
Dent, Wm. A	3 years	"	.....	1	Science.
Annis, Mary	B.A...	"	.....	1	French and German.
Thompson, Maggie J	" ..	Queen's .	.....	1	English and History.
1896.					
Bell, Fred. H	B.A...	Toronto..	.....	1	Eng. and History, French and German.
Norris, Jas.	M.A .	Queen's .	.....	1	Mathematics.
Reid, Robert	B.A...	Toronto.	.....	1	Eng. and History, French and German.
Govenlock, W. M	" ..	"	.....	1	Mathematics.
Aubin, Alfred L	" ..	Oxford ..	.....	1	Classics.
Horton, Chas. W	" ..	Toronto..	1	.....	English and History.
Howard, J. F	" ..	"	.....	1	Mathematics
Libby, W. H	" ..	"	.....	1	Eng. and History, French and German
Irwin, Wm	" ..	Queen's .	.....	1	Mathematics.
Gilfillan, Jas	" ..	"	1	.....	Science.
Mills, Geo. K	" ..	Toronto..	.....	1	"
Carter, Janet W	" ..	"	.....	1	French and German.
Albarus, H S	" ..	"	.....	1	"
Gavin, Fred. P	" ..	Queen's .	.....	1	Science.
McKee, Geo A	" .	Toronto .	.....	1	Classics.
Galbraith, W. J	" ..	Trinity..	.....	1	French and German.
Clark, Wm.	" .	Toronto..	1	.....	Mathematics.
McIntosh, Wm. D	" ..	Queen's .	.....	1	English and History.
Walrond, T. J	.....	.....	1st A	1	Mathematics.
Srigley, E. C	.....	.....	.....	1	Commercial.
Stuart, F. A	B.A...	Toronto .	.....	1	Science.
Rogers, G. F	" .	Victoria.	.....	1	"
Reid, Robt.	" ..	Toronto..	.....	1	Eng. and History, French and German.
Eldon, R. H	.....	.....	.....	1	Commercial.
Jenkins, R. S.	B.A...	Toronto..	.....	1	French and German.
Warren, Jas. McI	" ..	"	.....	1	Mathematics.
Cheswright, R. C		....	.....	1	Science.
Glassey, D. A	B.A. .	Toronto..	.....	1	Classics.
Knox, R. H	" ..	"	.....	1	Science.
Dickson, Jas. D	" ..	"	.....	1	Mathematics.
Lang, A. E	" ..	Victoria.	.....	1	English, French and German.
Marshall, John	M.A ..	Queen's .	1	.....	English and History.
Hammill, Geo	B.A...	Toronto..	.....	1	Mathematics.
Murray, Thos	" ..	"	.....	1	"
Brack, Charles	3 years	"	..	1	French and German.
Brown, Lyman	B.A...	"	.....	1	Classics
Caesar, Lawson	" ..	"	.....	1	"
Campbell, Dan. A	" ..	"	.....	1	Science.
Carefoot, Geo. A		.....	....	1	Science.
Forbes, John W	B.A...	Toronto .	.....	1	Mathematics.

RETURN of Names of High School Teachers.—*Concluded.*

Candidate's name.	University.		Otherwise Qualified.	Result of Examination.	Department for which Specialist Standing was granted.
1896.					
Ford, Harry E.	B.A.	Toronto.		1	French and German.
Hendry, Wm. B	"	"		1	French and German and Mathematics.
Jones, Geo. M	"	"		1	Eng. and History, French and German.
King, W. W.	M.A.	Queen's		1	Classics.
Kirkwood, Wm. A.	B.A.	Toronto.		1	"
Lee, Chas. H.	"	"		1	Science.
Morrow, John D.	"	"		1	Classics.
Stubbs, Sam. J.	"	"		1	"
Tarr, Stambury R.	"	McMaster		1	Mathematics.
Tier, Wm.	"	Toronto.		1	"
Waines, Wm. L.				1	Classics.
Bowes, May	B.A.	Toronto.		1	English and History.
DeBeauregard, E. T.	"	"		1	Eng. and History, French and German.
Dingle, Grace K.	"	"		1	" " " "
Harding, Nina M.	"	"		1	" " " "
Hillock, Janie S	"	"		1	Mathematics.
Menish, Janet I.	"	Queen's		1	Eng. and History, French and German.
Northwood, M. A	"	Toronto.		1	Mathematics, French and German.
O'Rourke, Mary	"	"		1	Mathematics.
Rowsome, A G.	"	"		1	French and German.
Field, John M.	"	"		1	Eng. and History, French and German.
Foucar, W. K.	"	"		1	English and History.
Galbraith, Robt	3 years	Queen's		1	Mathematics
Huff, Samuel				1	Science
Jenkins, R. S	B.A.	Toronto.		1	Classics.
Macpherson, W. E	"	"		1	English and History.
Power, John F				1	Science.
Peacock, Edward.	M.A.	Queen's		1	English and History.
Taylor, J. J. W	3 years	Toronto.		1	Classics.
Cloney, Sarah Louise	3 years	Queen's		1	English and History.
Green, Leslie A.	B.A.	Toronto.		1	Classics.
Ivey, Thos. J	"	"		1	Science.
Shultis, Adam				1	Commercial.
Neilson, James				1	"
Clarke, H. J	3 years	Toronto.		1	Science.
Coutts, R D.	B.A.	"		1	Classics.
Cameron, A. W	"	"		1	English and History.
Furlong, T. H.	3 years	Queen's		1	Science.
Fry, F. DeW.	B.A.	Toronto.		1	French and German.
Mabee, Geo. E.	"	"		1	" "
Phelps, Frances G.	"	"		1	English and History.
Topping, Ethel	"	"		1	" "
Lane, Jas. S.	"	"		1	French and German.

(No. 67.)

Return to an Order of the House of the twenty-seventh day of February, 1899, for a Return of copies of all correspondence between the Government or any member thereof, and the Corporation of the Town of Lindsay, with reference to the appointment of a Police Magistrate and the salary to be paid him. Also, copy of Order in Council appointing Police Magistrate at Lindsay. Presented to the Legislature, 9th March, 1899. Mr. *Fox*. *Not printed.*

(No. 68).

Return to an Order of the House of the eighth day of March, 1899, for a Return of a copy of Miller's Report as to discovery of gold in the Township of Marmora, the same to be brought down during the present Session. Presented to the Legislature, 10th March, 1899. Mr. *McLaughlin*. *Not printed.*

(No 69).

Return to an Order of the House of the fifteenth day of December, 1897, for a Return of copies of all correspondence between the Minister of Education, or any official in the Department and Mr. Stewart of Glencoe, or any other person, in reference to the case of C. C. Grant of St. Thomas, who was charged with having obtained copies of the examination papers before the Matriculation Examination in 1896. Presented to the Legislature, 13th March, 1899 Mr. *Brower. Not printed.*

(No. 70).

Return to an Order of the House of the sixth day of March, 1899, for a Return giving the number of circular letters, sent from the office of the Chief Game Warden, soliciting answers to a series of questions as to shooting deer while in the water. The names, addresses, occupations or professions of those to whom such circulars were addressed. Also, shewing the amount of money received from the sale of permits to kill deer during the season of 1898. Also, shewing balance left after paying salaries of Game Wardens, all expenses of offices and all moneys paid to or on behalf of Game and Fish Commissioners during the year 1898, in so far as the information is not contained in the Report of the Department. Presented to the Legislature, 21st March, 1899. Mr. *Pyne*. *Not printed.*

(No. 71).

Return to an Order of the House of the sixth day of March, 1899, for a Return, giving the names, addresses, occupations or professions of all persons to whom permits were granted, during the year 1898 to collect birds, birds nests and eggs under provisions of the Act of 1899 for the protection of insectivorous and other birds. Also, of renewals and new permits which have been granted during the current year. Also, shewing number of convictions for violations of the Act during the year 1898, and specifying localities. Presented to the Legislature, 21st March, 1899. Mr. *Pyne*. *Not printed.*

(No. 72).

Return to an Order of the House of the sixth day of March, 1899, for a Return, shewing all fees paid to Alfred Stunden, a constable of the Town of Bracebridge, in connection with the enforcement of the Game Laws of the Province. Presented to the Legislature, 21st March, 1899. Mr. *Reid (Addington.)* *Not printed.*

ANNUAL REPORT

OF THE

Clerk of Forestry

FOR THE

PROVINCE OF ONTARIO

1899.

PRINTED BY ORDER OF THE LEGISLATIVE ASSEMBLY.

Toronto :
Warwick Bro's & Rutter, Printers and Binders, 68 and 70 Front Street West.
1899.

Bureau of Forestry,

Toronto, Oct. 1st, 1899.

Hon. J. M. Gibson,

Commissioner of Crown Lands.

Sir,—I have the honor to transmit herewith the Report of the Bureau of Forestry for the year 1899. Aside from some remarks on the application of forestry methods by farmers in the way of wind-breaks and shelter-belts, reference is made to the adoption by the Government of the Forest Reserve policy, and a brief account of the Eastern Forest Reserve.

In studying the development of the Crown Timber system of the Province, many facts not hitherto published came to my notice, and with the assistance of the Assistant Commissioner of Crown Lands a brief account of the various stages of development from the days of the French regime to the present time has been compiled, in the hope that it may be valuable as a work of reference, and interesting to students of constitutional history.

I have the honor to be, sir,

Your obedient servant,

THOS. SOUTHWORTH,

Clerk of Forestry for Ontario.

THE PROGRESS OF FORESTRY IN ONTARIO.

In considering the progress of the movement in the direction of rational and scientific forestry methods in Ontario, it is difficult to over estimate the importance of the legislation introduced by the Commissioner of Crown Lands in the Legislature of 1898, styled the Forest Reserves Act, by which power was given the Government to set aside areas of the Crown domain to be kept perpetually for growing timber.

The *Canada Lumberman*, the organ of the men who are popularly but erroneously supposed to be opposed to rational forestry, calls it "the most important Act that has passed the Legislature for many years." While the far-reaching consequences of the carrying out of this Act are readily perceptible to those who have made a study of the subject, it is doubtfnl if the great value of the Forest Reserves Act to the people of Ontario is generally appreciated. The Bureau of Forestry receives many letters expressng sympathy with the efforts to promote scientific forestry in Ontario, and quite frequently the hope is expreesed that we may soon adopt the system in vogue in Germany

WHAT IS FORESTRY ?

Scientific forestry, as the writer understands it, is the growing of wood crops for profit, and from that standpoint the expensive and semi-military forestry system of Germany is out of the question in this country, where only a comparatively small part of the forest crop has a market value. Germany, with a much smaller acreage under timber than we have, expends more on her forestry service each year than the total expenditure for all services in Ontario. In a country where every product of the forest has a market, even to the leaves and the roots of trees, it is profitable to plant trees on a large scale at a cost of $10 to $15 per acre, but in Ontario where the territory to be operated is so large and labor high, where only a portion of the most valuable sorts of trees can be sold, the financial profit in this method of forest culture would be problematical.

NO NEED FOR EXTENSIVE PLANTING.

Fortunately we do not need to follow this plan. If fire and the farmer's plow are kept away the forest crop will re-seed itself, and the first thing to be done is to see that areas of land suitable for tree growing are permanently secured for that purpose, confining the actual planting operations to such scattered blank spaces as have failed to seed readily, and to so direct the cutting of the standing crop as to insure a continuance of the right sorts of trees.

In arranging for such a systematic method as will be most profitable to us, the Forest Reserves Act is the first important step, is, in fact, the inauguration of a scientific forestry system in Ontario.

FORESTRY DEVELOPMENT.

A perusal of the historical sketch of the development of our Crown Timber regulations, appearing elsewhere in this report, will disclose a steady progress in the direction of obtaining for the whole people as great a profit as possible from the great crop of standing timber with which we were originally endowed. From allowing a favored firm of contractors to cut timber at their own sweet will, where and when they chose, free of any charge by the State, to selling the standing pine timber only for $17,500 per square mile, plus $1.25 per 1,000 feet, board measure, when the timber is cut, is very great progress in the direction referred to, yet that is what has been accomplished.

A FARMING COUNTRY.

Until quite recently Ontario was regarded as a purely agricultural country, adapted only to agriculture, in which timber was not considered a profitable crop. The aim of our legislators was to clear the ground for general farming purposes, and in doing so to first dispose of the most valuable timber to the best advantage. On that basis it is doubtful if any better system could be devised than that embodied in the Crown Timber Act of 1849, with the subsequent amendments and the regulations adopted under it. That Act provides for the sale of the standing crop of timber to the highest bidder, the fee simple of the land remaining in the Crown, to be disposed of subsequently to the settler. The lumberman is given a license to cut certain specified kinds of timber on payment of the price agreed upon, but this license is granted only from year to year, to insure the carrying out of such regulations as the Government may impose from time to time, and to secure the removal of the lumberman from the land when it is needed for settlement.

THE LUMBERMAN'S TITLE.

Under the present system of selling the timber, the lumberman pays by way of a lump sum in cash, called a bonus, what he estimates to be the value of the timber standing on a "limit" or "berth," less the fixed stumpage charge of $1.25 per thousand feet, which he pays as the timber is cut. He gets a license to cut for a year only, but relies on the good faith of the Government for a renewal of his license each year, until he shall have had time in which to remove the standing timber which he has partly paid for in advance. Even in case the land, or part of it, is required for settlement he is given time to remove the timber covered by his license.

In all this it is plain that the idea of the framers of this legislation looked to the future rural population of Ontario to be solely farmers and not foresters.

UNPROFITABLE SETTLEMENT.

Under this system, while very large sums have been annually added to the Provincial revenues from the sale of timber, much land has been settled that would have been better left in forest, and we have found that considerable areas throughout the Province can be more profitably devoted to growing trees than to any other crop. The growing of forest crops for profit requires not only cheap land but a long and secure tenure of the land, and the ability to wait a long time for financial returns. The forester expects the crop he has sown to be harvested by his successors, and requires to be sure that the land on which he is conducting his operations shall be devoted permanently to his purpose. Because of this, forestry can only be successfully or satisfactorily carried on by the State, and the lands to be worked for timber crops should be owned or controlled by the whole people; and as Government control of private lands must necessarily be somewhat limited in this country, it is expedient that Government ownership should be the rule in our future forestry operations as it has been in the past.

GOVERNMENT OWNERSHIP.

The Forest Reserves Act makes provision for this perpetual ownership, and is thus the initial step in preparing for a rational system of forestry that shall provide not only for the proper harvesting of the present crop of timber, but that the otherwise unproductive lands of the Province shall produce for all time to come successive crops of the same kind for the maintenance of the vast industries dependent on forest products, and the perpetuation of one of our principal sources of Provincial revenue.

PRESENT TIMBER SUPPLY.

In speaking of the timber supply of the future it is not necessary or wise to overlook the fact that we have still in the "original" crop sufficient for our needs for many years at the present rate of cutting.

In the early days of lumbering in Ontario, most of the operations were carried on upon rich agricultural land, and while there was undoubtedly much waste by fire and from using very valuable timber for purposes that would have been as well or better secured by cheaper woods, it helped to clear the land for the plow of the farmer, and hence was perhaps profitable to the Province. The land was needed for agriculture and had to be cleared. The land that has been thus cleared and settled, however, forms but a small portion of the total wooded area of the Province.

It is customary among many people when speaking of our supplies of timber to treat the timber land already licensed as gone from the possession of the Province; that the timber thus sold is a "vanished asset," so to speak, forgetting that on this licensed territory there are still vast quantities of pine to be cut for our future needs and for export, and for every thousand feet of this timber when cut the Province has to be paid. Of the twenty odd thousand square miles of territory now under license to lumbermen, a large

part is reported to be unsuited for cultivation. The present system of fire ranging renders a great part of this comparatively safe from fires, and, if it be not settled or squatted upon, there is no reason why it should not yield a revenue so long as it is kept in timber and properly worked. The amount paid into the Provincial Treasury from this source in 1897 was $1,082,054.56; in 1898, $756,434.34;* this is exclusive of bonus or ground rent, simply for dues on the timber as it is cut.

LOSS IN CUTTING SMALL TREES.

As the land under license may be withdrawn by the Government for settlement purposes at any time, no doubt many lumbermen have cut their holdings more rapidly and more closely than would have been the practice but for this want of security of tenure. Upon every tree cut before it reaches maturity, the Provincial Treasury is a loser as well as the lumberman, just so far as the rate of growth and the increase in the value of timber exceeds the rate of interest, which is of course greater in the case of the lumberman than of the Government.

Referring to this loss by cutting trees of too small diameter, the Preliminary Report of the Royal Commission on Forestry states :—

"A young tree which would cut only one log eight inches in diameter and sixteen feet long, measuring sixteen feet board measure, would, if allowed to stand for thirty years, grow in diameter at the rate of one inch in five years—in some cases growth is as rapid as an inch in two years—hence would give a butt log of fourteen inches diameter sixteen feet long, or 100 feet of lumber, board measure. In addition to this, however, this tree would have grown in height sufficient to give two more logs, one say of eleven inches and one of eight inches diameter, both sixteen feet long, measuring respectively forty-nine feet and sixteen feet b.m. Thus, a tree that requires, perhaps, forty years to make its first sixteen feet of merchantable timber would in thirty years more have increased to 164 feet. This may be considered the period of greatest relative growth. After attaining a diameter sufficient to make a fourteen inch butt log, your Commissioners estimate that the tree would continue to gain at the rate of $3\frac{1}{2}$ per cent per annum. This bare statement of the case shows the necessity of protecting the young growth of pine in the interests of the Province. The advantage to the lumberman in holding his trees until they have reached the larger diameter is still more marked, because of the greater price per 1,000 feet commanded by lumber cut from the larger logs."

FOREST RESERVES.

The immediate aim of the Commissioner of Crown Lands in proposing the Forest Reserves Act was the reclamation of waste areas of Crown Lands that had been burned over after lumbering, and were unsuited for settlement, having also in view, no doubt, the ultimate extension of the system of reserves to lands on which the timber has as yet

*The falling off in 1898 was due to the smaller cut of Michigan holders of limits. This year the revenue will be much larger.

been unsold, and to areas now under license unfitted for agriculture, provided equitable arrangements can be made with the license holders. The Crown Lands agent at Plevna in the township of Clarendon, having reported the presence of a large tract of burned over, unsettled land, on which a fine crop of young trees was growing, the Clerk of Forestry was instructed to make a special report upon the territory, which he did in the Fall of 1898, as follows:—

TORONTO, December 1, 1898.

The Hon. J. M.Gibson,
Commissioner of Crown Lands:

SIR,—In accordance with instructions received from you, I visited the townships of Abinger, Miller, Barrie, and Clarendon, in the counties of Addington and Frontenac, spending two weeks in the district, and beg to report as follows:—

The first settlement of any consequence in these townships took place in the early sixties, on the completion of what is known as the "Snow" or Addington Road. The few settlers previous to that were men engaged in lumbering, and who had built cabins and cleared a small piece of ground for the purpose of growing vegetables and oats. They were "shantymen" rather than farmers, and it was not till the opening of the Colonization Road that any systematic attempt at farming was made.

Lumbering, or rather square timber operations, had been carried on for some years previous to this, supplies for the men being taken in by water.

The early operations were confined to taking out only the choicest and largest pine for square timber, and this could have been continued, at intervals of a few years, indefinitely, except for fires. The great quantity of debris left in the woods after making square timber, together with the careless methods of the lumbermen, nearly always caused a forest fire, and this district proved no exception. Wherever the lumberman went fire followed him, and, instead of leaving behind him a forest improved by the removal of a few of the oldest and largest pine, there remained a forest of bare, limbless poles, where the mass of green trees had stood. Even now, years after the fires, the forest of dead pines or "rampikes" stands so thick as to convey the idea of a great hop yard, and this effect is enhanced by the young, green forest which conceals the bottom of the dead pines.

Although over thirty years have elapsed since settlement began in earnest in these townships, it is still, except in the case of Clarendon, very thin and scattered.

The country is rocky, or I might say mountainous, with numerous lakes and streams and occasional depressions or ravines, in which is found a gravelly soil, full of boulders, but very strong, and capable of producing splendid crops of grain and vegetables and fine pasture. These spots of arable soil are not numerous and are of very limited extent; very rarely can a level field of ten acres be found, and this good land is practically all taken up. The lumber industry, on which many of the settlers at one time depended to a great extent for work in winter, and for a market for their live stock and hay and vegetables, is now a thing of the past, and, as they are a long way from a railroad, their

market is a poor one. At present the farmers in the district are hoping for a minera development that has been long looked for but is slow in coming.

Throughout the whole four townships where it is not plowed a very vigorous growth of young timber is now standing.

This timber is of mixed growth, as was the original forest that was burned off. In the younger stages of this forest, poplar (aspen) and birch, white and yellow, predominate; but where it is of larger growth, say twenty years, the white pine disputes with these trees for first place, and in many instances is the most numerous. While poplar and the birches seed more readily than the coniferous trees, they also sprout quickly from the old stumps, and many of the young trees of these varieties are of coppice growth, having sprouted from the stump of the old trees killed by the fire.

The pines and spruces do not sprout in this way, but only come from seed, hence deciduous trees get a start of the conifers. This fact, together with the more general distribution of the seed of poplars and birches, causes the young forest for the first few years to be largely composed of deciduous trees. While the sprouts from the old stumps grow more rapidly at first than the seedlings, they are not so rugged, and are eventually killed out by the more hardy pines, which grow more vigorously after this is accomplished. In this way the preponderance of the birches and poplars ceases, and, in this territory, pine becomes the principal tree. The deciduous trees have in the meantime served the useful purposes of shading the young pines, protecting them from the destructive effects of the sun when they first come up from the seed, and, later, killing the lower branches, which fall off and leave the trunks clean and bare of limbs up to the general leaf canopy of the forest.

Over nearly all this territory white pine is, or will be, the dominant tree. There are occasional narrow strips or ridges of hardwood, maple, birch, elm, etc., among which there is little or no pine, but these compose but a small part of the whole area, which is essentially a pine country.

AGE OF FOREST.

In most of the territory examined the young pines were of varying size and age, ranging from trees of a year old, only a few inches high, to those of forty feet in height, with a diameter of seven or eight inches. In some instances there are occasional trees of a much larger size, but they are not so numerous, and need not be taken into account.

In some sections there has been no fire for eighteen or twenty years, in others not for ten years, while in Barrie a fire this past summer swept over a few thousand acres, killing a thrifty crop of young timber, probably ten years old.

DENSITY OF CROP.

The stand of young pine is heavy, 600 trees to the acre being not unusual. The township of Miller appears to have the heaviest crop of pine, but over the four townships, 400 pines to the acre may be taken as a fair average.

While this is a fair crop for this land, it is much below that in some places in the Province and elsewhere. In a bulletin issued by the University of Minnesota on the "Rate of increase of the cut-over timber lands of Minnesota," Mr. H. B. Ayres shows the growth of white pine to be much in excess of the growth in the section of Ontario referred to. He also found a much heavier growth of young pine on land that had been burned over than on land that had escaped the fire. In one case he found a tract of land thirteen years after burning, on which there were 710 white pines to the acre. On another lot that had been repeatedly burned during the preceding twenty-five years there were 4,304 seedling trees to the acre, of which 1,530 were white pines. On an abandoned field in Carleton County, Minn., Mr. Ayres reports 1,270 white pines to the acre, 3½ inches to 8 inches in diameter, 30 to 36 feet high.

In various places in the townships investigated, a block of land an eighth of an acre in extent was measured off by tape-line, and the trees of all varieties carefully counted. The number of trees of each variety, multiplied eight times, has been taken as the number on an acre, and while not absolutely correct for the larger area, owing to unevenness in seeding, it is sufficiently so for our purpose, and as apt to be under as over the actual number, for the places selected for counting were considered to be only average samples.

I will illustrate by two sample eighth-acres in the townships of Clarendon and Abinger, where the stand of young timber was as follows :—

Lot. No. 1.		Lot No. 2.	
White pine	54	White pine	55
Poplar	51	Poplar	104
Birch	26	Birch	27
White cedar	20	Hard maple	5
Spruce	4	Willow	5
Tamarac	2	Spruce	3
Red pine	1	Tamarac	2
		Balsam fir	3
Total	158	Total	204

Multiplying these figures by eight gives the stand per acre as follows :—

Lot No. 1.		Lot. No. 2.	
White pine	432	White pine	440
Poplar	408	Poplar	832
Birch	208	Birch	216
White cedar	160	Hard maple	40
Spruce	32	Willow	40
Tamarac	16	Spruce	24
Red pine	8	Tamarac	16
		Balsam fir	24
Total	1,264	Total	1,632

In the case of Lot No. 1 the age of the oldest trees shows that about twenty years have elapsed since the last fire, while the age of the forest in No. 2 was five years less.

It will be noticed that the poplars in Lot No. 2 are twice as numerous as in Lot 1, but they are already dying off, and it is probable that within the next five or six years there will be no more than at present on the older lot, No. 1.

In neither case were the dead trees, some standing, some already rotting on the ground, taken into account.

The pines throughout the district are making very rapid growth. Four young trees taken from a grove near the road in the township of Miller gave the following measurements :—

No.	Height.	Diameter.	Annual rings.
1.	22 feet	4½ inches	13
2.	30 "	6¼ "	16
3.	22 "	3¾ "	10
4.	25 "	5 "	14

These trees were only average ones for this particular locality, but are above the average in rapidity of growth for the whole area. They are increasing in diameter at the rate of an inch in 2.68 years, whereas the estimate of the Forestry Commission for the whole Province was an inch in five years. At the same time I have a section of young pine 8½ inches in diameter, cut in the township of Burleigh in 1897, increasing its diameter at the rate of an inch in 2.23 years. The trees here have grown fast since they came up, and will continue to do so until they become too crowded, when the weaker ones will be overshaded and crowded out.

The soil would sustain a greater number of trees for many years to come if they were planted at regular distances apart, but they are not so placed. Fifty years from now 300 pines to the acre would be a good crop on this land if planted regularly, but under present conditions it is fair to assume that only 200 of the 400 to 600 pines now standing will still be growing, and it is not guess work to estimate that if fire can be kept out for fifty years longer much of this land will carry a crop of pine that will yield 50,000 feet, board measure, to the acre.

This may seem an extravagant estimate to many lumbermen who have been accustomed to taking out some pine and burning the rest, but it should be borne in mind that this is peculiarly a pine district, and doubtless carried a much heavier crop than that at one time. Hon. J. D. Lyman of Exeter, New Hampshire, writes that he has a tract of second growth pine, grown upon abandoned land during the past sixty years that will now yield 50,000 feet of pine to the acre, and two years ago there was cut on the Rathbun Company's limit, in this same section of the Province, 100,000 feet of pine to the acre, over a tract of land ten acres in extent through which a tornado had swept.

Assuming that my estimate is in reason, and I believe that, taking the very rapid growth of pine in the district into account, it is low, the value of this wild land for timber purposes is considerable. Taking the extremely favorable situation of the tract, with easy water carriage to the mills, the value of the standing timber fifty years from now will not be less than $5 per thousand, board measure, and at 50,000 feet to the acre this would represent $250 as the value of the standing timber per acre at that time. The sum required to produce this amount in fifty years, compounded at 3 per cent., is $57.03, which represents the present value of the otherwise worthless land. Applying this to a territory of say 80,000 acres, it would show, provided it was all equally well timbered, a cash value, fifty years from now, of $20,000,000. It is not all equally well wooded, of course, but the greatest part of it is fully up to this standard, and I do not think it would be unreasonable to assume the cash value of such a tract at at least half

that sum at that period. I know these figures appear large for so small a tract of land, but it must not be forgotten that the Government of Saxony realizes a net income from the state forests of $4.30 an acre yearly, and this with a very elaborate and costly forest administration.

COST OF MANAGEMENT.

Against this account must be placed the cost of protection, taxes, etc., for fifty years. So far as the Government is concerned, there would be no taxes on this land, and the cost of protection may be helped out in a few years by the sale of small timber for fuel and other purposes, small timber that, to assist the growth of the rest of the forest, should be removed. There are already some local sawmills, and these could easily be converted into factories for making up the birch and other hardwoods for export were it not for the absence of railway connection, but still a market for much of this material may be found.

The territory is exceptionally well watered, Miller alone containing thirty lakes, and the other townships being nearly as well supplied. It is drained by two rivers, the Madawaska and Mississippi, tributaries of the Ottawa.

I consider the territory well suited for a reserve under the Forest Reserves Act of 1897-8, and therefore beg to suggest that reserves be created in the various townships to the following extent :—

RESERVES.

In Abinger, 24,500 acres, more or less; in Miller, 27,500 acres; in Barrie, one lot of 16,000 acres, and one of 7,000 contiguous to 4,000 in Clarendon, making a block of 11,000 acres, in all about 80,000 acres. The lots to form the various reserves are mentioned in the attached schedules.

REGULATIONS.

I would suggest for the protection and care of the reserve that some responsible and intelligent person, situated near the centre of the four reserves be appointed Forest Guardian, to have charge of the reserves, and that he be paid a sufficient salary to have a personal supervision of the various reserves from time to time throughout the year;

That suitable persons among the settlers living near the reserves be appointed as Fire Guards, under the control of the Forest Guardian, to be paid a small fixed sum each year for their services. It should be their duty to keep a lookout for fires in their district and extinguish them before they assume any magnitude when possible. In the event of their inability to control a fire, they should be instructed to at once notify the Forest Guardian, who should have authority, when he considers it necessary, to employ assistance and proceed to combat the fire as soon as possible, the wages to be paid for such extra service to be fixed by the Department.

The Forest Reserves Act, clause 3, states: "And no person shall locate, settle upon, use or occupy any such lands, or hunt, fish, shoot, trap or spear, or carry or use

fire-arms or explosives within or upon such reserves." As this is a great fishing and hunting resort, and the settlers have been accustomed to going through it at will, it is to be expected they would resent the attempt to exclude them in this way. I would suggest that this be modified by a regulation requiring any person who wished to go upon the reserves for prospecting or other purposes to first procure a permit from the local Forest Guardian, which might be issued free of charge upon the applicant stating the purpose for which such permit was desired, and at the discretion of the Forest Guardian. In this way the risk of fire would be lessened, because of the greater facility of fixing the responsibility for such fires should they be started.

It may also be found necessary to employ a Fire Ranger for the two most dangerous periods of the year, in May and in the autumn, to patrol the reserves and see that no unauthorized parties are fishing or hunting through the reserves, and to see that parties holding permits take proper precautions against fires.

There has heretofore been a Fishery Overseer appointed by the Dominion, as well as a Game Warden in this district. In case it is decided to employ a Fishery Overseer, the same man might combine the three functions of Fire Ranger, Fishery Overseer and Game Warden.

The boundaries of the reserves should be marked in some way, possibly by posting notices on trees, and to secure the co-operation of the settlers in protecting the young timber, it would be well to circulate literature among them showing the object of the reserves, and the probable benefit to them of having such reserves, with the future resultant wood industries they would entail.

The townships of Abinger, Miller and Clarendon are open for settlement under the Free Grants' Act, and some locations have been granted upon which the settlement duties have not been performed, and upon which no one is living. Some of these have been applied for because of small lots of cedar or other timber left by the lumbermen, and in some cases because they contain "beaver meadows," upon which the locatee is accustomed to cut wild hay. The local Crown Lands agent recommends the cancellation of several of these locations.

In the case of "beaver meadows" in the reserves, it might be well for the Forest Guardian to award the privilege of cutting the hay upon them yearly to the parties tendering the highest sum.

Appended will be found maps of the townships of Abinger, Miller, Clarendon and Barrie, with patented and located lots marked, showing also the boundaries of the four blocks proposed for the Forest Reserve.

I have the honor to be, sir,
Your obedient servant,

(Sgd.) T. SOUTHWORTH,
Clerk of Forestry for Ontario.

Although almost the whole of this territory has been burned over, the license holders had not relinquished it, but were engaged in taking out dead pine and some cedar and hardwoods that in low, wet places had escaped the forest fires. Most of the territory was under license to Mr. Isaac Allan, of Mississippi Station, and as the result of a conference between that gentleman and the Assistant Commissioner of Crown Lands, an arrangement was arrived at for creating a Forest Reserve in the Townships of Abinger, Barrie, Clarendon, Miller and Palmerston. By the arrangement the licensee has the right to take out dead and mature timber for five seasons free of ground rent, but subject to the ordinary timber dues, except in the case of the dead pine, on which no dues are charged

The licensee, however, may only cut "subject to the direction of the Commissioner of Crown Lands, or any officer or agent appointed by him, and in such localities as shall be approved by the Commissioner of Crown Lands."

After final arrangements had been made with Mr. Allan, the following memorandum was approved by the Commissioner of Crown Lands:—

Memorandum for the Honorable the Commissioner of Crown Lands:—

With respect to the proposed forestry reservation in the townships of Abinger, Miller, Barrie, Palmerston and Clarendon, in the counties of Addington and Frontenac, the undersigned has the honor to state, for the information of the Commissioner, that a map has been prepared, showing all the lots which it is proposed to include. He has also had the records of the Sales and Free Grants Branch searched to see if any of the lots have been sold, located or leased under the Mining Act. A few of them appear to have been leased and there is correspondence as to a number of others, although no sales or locations have been carried out.

The undersigned is of the opinion that there should be some person placed in charge of the reserve who would be the channel of communication with the Department as to matters of interest there, and who might be instructed respecting any matter requiring supervision or attention. He is further of the opinion that one or two fire rangers should be appointed during the summer months to travel through the territory and inspect the lots, in order to make sure as to whether there is any squatting or improvements on any of the lots proposed to be included in the reserve, which information ought to be had before the townships are finally proclaimed as a reserve under the Forest Reserves Act.

Mr. Wood of Plevna, who is the Crown Lands agent, and who resides in the centre of the township of Clarendon, might be a good man to appoint as superintendent, as he is familiar with the country and active and energetic.

The negotiations for the surrender of the territory having been completed, and the plans of the territory having been prepared, the undersigned is of the opinion that the

future management, protection and administration of the reserve should be assigned to the Clerk of Forestry, Mr. Thomas Southworth.

(Sgd.) AUBREY WHITE,
Assistant Commissioner.

May 25, 1899.
Approved.

(Sgd.) J. M. GIBSON,
Commissioner of Crown Lands.

In accordance with this Mr. A. W. Wood, Crown Lands Agent, was appointed Forest Guardian, and Mr. John Critchley was engaged as Fire Ranger for the summer. Nearly all the reserve has been inspected by the Forest Guardian as a preliminary to instituting proper forestry practice. For the most part the territory is found to be well covered with a young forest of the usual mixed type, white pine predominating.

REPLANTING.

There are occasional small lots, however, in which, owing to the uneven distribution of seed or unfavorable soil conditions, the tree crop is scant or entirely missing. As the present is not a seed year for pine it was found impossible to seed these spaces this year to that tree, and it was deemed advisable to introduce some of our profitable nut bearing trees. Accordingly shell-bark hickory and black walnut are being planted through the reserve in these blank spaces, and where there is a reasonable prospect of their success. The nuts are being planted, not trees.

Neither of these valuable timber trees is found in this section of the Province and it is generally deduced from this fact that they will not grow there. The hickory and black walnut in particular were originally restricted to a very limited area. That this is due to climatic reasons has been disproved by Sir Henri Joly in successfully growing the wal nut tree on his estate in Quebec. The limited area in which these nut trees are found growing is more likely due to the difficulty in the natural distribution of the seed. For the most part Nature has to depend on squirrels and other small animals for the distribution of these trees, and when it is remembered that except in very wet places the nuts need to be covered to germinate and take root, it will be seen that they are badly handicapped in the race with other trees, the seeds of which are distributed by the wind.

There is every reason to believe that in the eastern reserve, where the ground is protected by a heavy snow fall, both trees will grow and thrive. The great difficulty in growing nut trees in a very cold climate consists in the large tap root, characteristic of nut trees, freezing too hard. Where the snowfall is heavy and regular as is the case on the eastern reserve, this danger is obviated. The experiment will be watched with interest, however, and there is every reason to believe it will be successful.

—Photo by J Cozens, O.L.S.

NO. I. A TYPICAL ONTARIO FOREST OF MIXED GROWTH.

NO. II. PRODUCT OF ONTARIO FOREST AND LUMBERMAN'S AXE.

NO. III. FOREST PRODUCT—SPRUCE PULP WOOD PILED ON THE ICE—THESSALON RIVER.

NO. IV. THESSALON RIVER IN SPRING—PULP WOOD ON THE WAY TO THE MILL.

NO. V. YOUNG FOREST OF MIXED GROWTH— POPLAR AND BIRCH IN THE ASCENDANT.

NO. VI. YOUNG FOREST OF LARGER GROWTH IN WHICH PINE HAS KILLED OUT THE HARD WOODS, AND IN WHICH NATURAL PRUNING, CAUSED BY SHADE, IS TAKING PLACE.

NO. VII. YOUNG FOREST OF RED AND WHITE GROWN UP PINES AFTER FIRE HAD DESTROYED THE ORIGINAL GROWTH.

NO. VIII. YOUNG MIXED FOREST DESTROYED BY GROUND FIRE AND WIND.

The Forest Guardian reports that during the season several thousand young pine saplings were pruned by himself and the fire ranger, and in places where the growth was too dense some of the less valuable saplings have been taken out. Where the growth is of the proper density the young pines are pruning themselves nicely, but this is not always the case and where pines stand alone or not sufficiently shaded to cause the lower limbs to die and drop off the use of the forester's axe is necessary or at least advisable.

Several incipient fires were discovered and put out and settlers and others warned and instructed as to the provisions of the Fire Act. Fire notices were posted throughout and on the principal boundaries of the reserve, and it is satisfactory to note that the settlers are in hearty sympathy with the efforts being made to keep out fire.

FARM FORESTRY.

WIND BREAKS AND SHELTER BELTS.

In a general and abstract way most of our rural land holders are ready to admit the beneficial effect of a due proportion of wooded to cleared land to the welfare of the community. In attempting to prove the correctness of this conclusion, different scientific investigators have taken accurate observations under varying conditions, and have reached entirely different conclusions. Some scientific observers are ready to assert that forests have absolutely no influence on rainfall and prove it by reason of the records of rain guages in the forest and at its edge. Other observers hold that owing to the very limited range of such records they are inconclusive.

Experience, or in other words, history, has, however, led to the generally accepted belief that a country having a fair proportion of forest is better off than where the woods have been nearly or quite cleared away. It has required an experience extending over a long period of years to reach this conclusion, but at the present time there are few practical men who have given the matter any thought, but are convinced of the correctness of it. While this is the case pretty generally in Ontario, the practical application of the knowledge is lost sight of, and comparatively few farmers take any actual steps to increase their woodland area or keep from deterioration that they already have. While quite ready to admit that not less than a fifth of the total area of an Ontario farm should be under forest, they are content to let their neighbors keep up the proportion, until perhaps the necessity of buying coal to heat their houses awakes them to the fact that they could profitably produce the fuel themselves on the otherwise unproductive parts of their farms.

There is one phase of the forestry question, however, that is forcing itself upon the attention of farmers as of great, direct importance, as the letters of inquiry received by the Bureau of Forestry during the past year indicate, and this is being brought about to a large extent by the uncertain nature of the fall wheat crop.

There is no doubt that in the earlier days there was a much more reliable crop in this Province than at present, and it has been noticed that as the country becomes more cleared the uncertainty of the crop increases. It is also very noticeable that where the wheat field is situated to the south or east of a bush or belt of trees, the crop is better and more even than on other fields of equal fertility but unprotected. Along the margin of the fields next the fence, particularly on the west side of the field where the snow has laid long on the ground, the yield is better than in the centre of the field where the snow was lighter and has quickly melted. The reason of this is not far to seek.

In the southern and highly cultivated part of the Province the forest has been cleared away to such an extent that in some counties not more than five per cent of wood land is left. The absence of trees affords a free scope for the northern and northwestern winds which sweep over that part of the Province with great force, particularly in winter.

THE FUNCTION OF SNOW.

In a country with the climate of Canada the snow is a most important factor in connection with agricultural fertility, as a considerable percentage of the total volume of moisture which falls during the year comes in that form. While it remains congealed it provides the covering which protects those crops that remain in the ground over the winter from the severity of the frost, and later in the year, as it gradually thaws it furnishes the moisture which nourishes the young plants before the spring rains set in. In the absence of a good fall of snow the effects of the keen and long continued frosts are much more severely felt than when the ground is well covered. The even and regular distribution of the snowfall, therefore, is a matter of considerable consequence to the prosperity of the farmer, upon which the success or failure of his yearly operations may largely depend.

Leaving out of consideration the many other aspects of the question it is proposed at present to point out the essential service to agriculture rendered by the forest in securing and retaining the necessary covering of snow for the fields, the evils resulting in this respect from over clearance and the obvious remedy in cases were loss and disaster have resulted.

The extent to which the more thickly settled and highly farmed parts of Ontario have been cleared of their forests has resulted in injurious changes of climate. One of the most noticeable is the drying up of springs and streams, making a continued drought in summer more disastrous than if the subsoil was full of moisture. Where the forests have been cut away to such an extent that the wind has a sweep of many miles without any obstacle to mitigate its force the snow falling upon high or level land is speedily drifted away into hollows or until the range of the wind is broken.

Large tracts are consequently left bare, and if heavy frosts take place any fall-sown crops in the ground are liable to be winter killed, which, had they been protected by sheltering woods to the windward, would have been saved by the retention of the snow above them. If they survive the intensity of the cold the young plants, when the spring arrives, are again exposed to danger from drought. If rain is delayed the absence of the

snow that should have furnished them with nourishment as well as protection leaves the ground dry. On this account fall wheat and other crops which were generally grown successfully in the early days of settlement have been abandoned in many parts of the Province, by reason of the frequency of failures, and when sown very often entail loss and disappointment upon the farmer who undertakes the work of sowing them.

THE LAST SEASON.

The winter 1898-99 was a notably severe season, more especially in the month of February, and a very large proportion of the fall wheat and clover crops was destroyed owing to the exposure to an unusually low degree of frost. The bulletin published in May last by the Provincial Bureau of Industries based upon information furnished by several hundred correspondents resident in all parts of the Province, fully bears out the contention of forestry specialists as to the great advantage of the shelter afforded by growing timber, as a protection from the inclemency of the cold. After noting the widespread injury sustained by the fall wheat crops from the low temperatures of February, the bulletin goes on to say :—

"The situation of the land, and the degree of shelter afforded from wind and frost by its location, appear to have been considerably more influential factors in deciding its suitability for fall wheat growing than the character of the soil. In many cases it has been observed that the partial protection afforded by accumulations of snow near the fences, the rest of the field being bare, has saved wheat plants thus protected. It is worthy also of note that the reports from Algoma, where there was a good covering of snow during the winter, are more favorable than those from the older settled counties."

A number of the correspondents of the Bureau give instructive details bearing on the question, showing that the difference in the condition of crops in the same locality, where some were winter-killed and others survived, was due mainly to the degree of protection afforded by woods, fences, or other obstacles tending to lessen the force of the wind and prevent the drifting of the snow. The following are some of the answers received in reply to the question "What is the general condition of fall wheat?"—the township and county being given after the name of the writer in each instance;

John Henderson, Wollaston, Hastings :—

"Where sheltered, good ; where exposed, about half killed out. Injured by the snow being blown from the soil."

A. F. Wilson, Drummond, Lanark :—

"Only a little wheat remains around fences or where it was sheltered."

Wm. Doyle, Osgoode, Carleton:—

"It was all killed except a little around the fences.'

R. A. Lehmann, Orillia, Simcoe :—

"Centre of fields killed—near rail fences uninjured."

James Marselis, Williamsburg, Dundas :—

"Where sheltered, pretty good ; where it was not sheltered, and flat, heavy clay land, badly winter-killed."

W. H. Harvey, Usborne, Huron :—

" Protected fields, or those on which the snow was deep, are good."

B. B. Smart, Sarnia, Lambton :—

" Where it is protected by a bush or hill or snow, it is the best."

James Davidson, Yarmouth, Kent :—

" Only where there was a western shelter is there anything like a full yield."

Colin K. Campbell, Harwich, Kent :—

" The only good fields are those that have been sheltered."

W. D. Stanley, Biddulph, Middlesex :—

" We do not think the kind of soil has had much to do with it this year. On the same kind of soil there are fields of excellent wheat—and fields no good. We think the successive frosts on fields which lay exposed is the chief cause of injury."

A. J. Ross, East Williams, Middlesex :—

" Neither fertility of soil, good cultivation or drainage made much, if any, difference. Indeed in many cases the earliest and strongest suffered most. The only places in which it escaped is where it was sheltered from the wind on the west and southwest by the bush. In these few places it was excellent.

D. Hurley, Asphodel, Peterborough :—

" Nothing left except a strip around fences."

J. D. Drummond, Otanabee, Peterborough :—

" What was exposed to the west and north on any soil is dead. Any that was sheltered by woods on the west and north, keeping the snow on, is good."

Arthur Weller, Scott, Ontario :—

" The only places of any account are where it is well sheltered."

F. Birdsall, Asphodel, Peterborough :—

" About 75 per cent. is dead. The only fall wheat there is, is on low-lying land or where sheltered by trees or fences."

Walter Riddell, Hamilton, Northumberland :—

" Shelter and situation seem to have more effect than soil."

Thomas Syer, Manvers, Durham :—

" There is a little around the fences and where snow stayed on all winter, the rest is completely killed."

D. Fotheringham, South York, York :—

" Do not see much difference on different soils, but notice where wheat was sown among corn roots it seems to have done better than where nothing held the snow."

R. W. Phillips, King, York :—

" Wherever it was covered by snow or sheltered it has come out very good."

Charles Rannie, Nassagaweya, Halton :—

" It has suffered most where exposed to the west or north. Fields that were partly sheltered and covered by snow during the winter took fairly well."

Thomas Elliott, Esquesing, Halton :—

"Exposed fields of any kind of soil badly killed. Sheltered fields in good condition."

Charles Trim, Mornington, Perth :—

"It is poor on all conditions of the various soils. Injured by ice and frost. Around the fences where the snow laid heavy the wheat is pretty good."

Alfred Burrill, Onandaga, Brant :—

"Fields that were exposed to the wind or where snow did not collect to any extent suffered much by frost. Didn't matter what kind of soil.

Alex. Ritchie, Stormington, Frontenac :—

"Nearly all winter-killed; an odd field where protected, is not killed.

T. G. Taylor, Hillier, Prince Edward :—

"Much of the fall wheat came through in good shape, especially where sufficiently sheltered for the snow to lodge and remain."

John B. Stone, Percy, Northumberland :—

"The winter wheat has been killed the past winter by the fields being bare and the continual freezing. Wherever the field was protected on the north and west the wheat was fine."

In reply to the question, "What is the condition of the clover crop?" the general effect of the answers was that it had suffered from the same causes as had injured the wheat. Many of the correspondents also pointed out that where the ground was sheltered in any way and a good covering of snow retained, the crop was saved.

Many of the correspondents in their returns to the Bureau give observations of a more discursive and general character than are involved in the mere answers to the questions submitted, and it is encouraging to note that some of these in dealing with the effects of the cold upon fall crops evince an intelligent appreciation of the cause of unfavorable climatic changes and the remedy necessary to counteract them. E. C. Perry, Gainsborough, Lincoln, writes :—"The winters seem to have grown more severe as the country is cleared. This district is more subject to very high winds, which are very destructive.

James Watson, Moore, Lambton, says :—The unrestrained sweep of the cold winds with the thermometer down at about 20 degrees below zero for a week—since the country is denuded of timber—have made havoc of winter wheat and clover and taught the farmers a lesson that windbreaks for shelter are now required. Even the rail fences were a protection for wheat for a considerable distance in the fields. Hedges and windbreaks are now wanted. The south-west winds, where there was no shelter in this locality, seemed to injure wheat more than the north winds."

"I think," writes A. Dawson, Oakland, Brant, "that winter wheat was injured more the past winter by wind than anything else, because wherever a field had the protection of a strip of timber, the wheat has come out all right. The remedy appears simple enough. If farmers would go to the very small expense of planting evergreens on the west side of their fields they would form the best possible windbreak, as well as add very largely to the value of the property. The loss the present season would more than pay the cost of trees and planting many times over."

WORTH $100 A YEAR.

Mr. Henry Wilson, of Caledon East, is one of the farmers who years ago recognized the advantage of windbreaks, and in reply to inquiries from the Bureau of Forestry, gives his experience as follows :—

"Ten years ago I planted a wind-break four rods wide, consisting of one row of cedars four feet apart, the other trees consisting of maples planted in rows eight feet apart and a foot distant in the rows. The maples are twenty-five feet high without cultivation, and the cedars twenty feet. Had they been cultivated while young, they would have made much faster growth.

"I also planted a pine wind-break that is now twenty years old, and some of the trees are twenty inches in diameter, but for my locality the cedars with the maples answer the purpose splendidly.

"I consider my windbreaks of great value to my farm. I consider it was worth $100 this year in protecting my wheat field alone, and clover in the adjoining field stood the winter remarkably well."

Mr. Wilson adds that from his own experience he prefers planting cedars in the spring and maples in the fall. He states that he planted over a mile of maple shade trees in the fall, and all lived.

The dearly bought experience of the past winter and the loss of so large a proportion of the crops dependent upon adequate protection from frost, ought to convince farmers resident in exposed localities of the utility of windbreaks.

The value of a shelter belt of trees is in proportion to its depth and height, and in view of the value of many kinds of timber, it would pay the farmer in many cases to devote a strip of considerable breadth in the quarter most exposed, to a plantation of close growth. But if this is out of the question, a double row of trees, those in one row being placed at equal distance between the two nearest trees in the other, will be found to afford effective protection, especially if evergreens are used for one row.

Trees grown in lines will not afford timber of value except as fuel, as they branch out too near the ground ; but if hard maples are set out, alternated with spruce or pine, they will in time prove a steady source of income from their yield of sugar. There is no better tree for shelter purposes, and it has the advantage of being easily procurable in large quantities, either in the seedling or sapling stage.

PLANT SMALL SEEDLINGS.

A mistake which many farmers make in setting out trees either for shade and ornamental purposes, or as shelter belts, is in transplanting large saplings instead of taking small trees about a foot in height. In the first place it is much more difficult to transplant a sapling successfully, especially one taken from the forest, because a great deal of the root is usually cut or torn away in getting it up, and, if it lives at all, it takes a long time to recover its vigor. A seedling, on the contrary, is easily moved with the roots almost entire, and if well cared for speedily accustoms itself to its new surroundings and

makes rapid progress, so that in a few years it is likely to overtop the larger tree which has been retarded in its growth by the shock its organization received in moving, and has only just managed to live.

Again, the selection of seedlings in place of saplings effects a great saving of time and labor. The farmer is often deterred from tree planting by the idea that to do anything worth while in this direction would involve more time than he can spare during the busy season. To search for, dig up and replant a hundred or so trees of several feet in height is a serious undertaking, and consequently likely to be indefinitely postponed. But if instead of looking for trees of this size he would content himself with the small seedlings, a thick undergrowth of which may be found in or near most pieces of bush land, the job would not look nearly so formidable, as a dozen of the latter could be transplanted more quickly than one of a larger growth. The chances for life of a transplanted tree are much greater if it is removed when quite young, and if in setting out forest trees to beautify or protect the farm this were borne in mind, many who undertake tree planting with comparatively poor success would frequently save themselves disappointment and fruitless labor.

It should be borne in mind that in plantations of this sort the weeds and grass should be carefully kept down around the trees for the first few years, or until the shade from the trees will accomplish the purpose.

In case the trees for transplanting cannot be procured from the bush in the vicinity, they can be procured at reasonable prices from most of the leading nurserymen.

STREET TREE PLANTING.

During the past year the Bureau of Forestry has had considerable correspondence regarding the systematic planting of trees on streets in towns, villages and cities. In view of the increasing interest shown in this direction it has been thought desirable to add a few suggestions as to the most suitable varieties of trees to plant for this purpose, and the methods of planting.

One serious defect in past efforts at improvement in this direction throughout the Province, has been in the lack of design or plan in the selection and location of the trees. It is not unusual to see several partial rows of several different sorts of trees on one short street. One householder prefers his trees close to the house, while his neighbor may think the trees in front of his place would be better next the curb, and while the first man was a lover of maple the other may select horse chestnut, ash or elm. The result as may be imagined is frequently a badly arranged arboretum rather than a beautifully shaded avenue as it might have been had there been some degree of uniformity or some well defined system in the planting.

The best results in street planting can only be obtained by joint action and it would be best in most cases to have the work done under the direction of the municipality as is the case in several places now. In many parts of the United States "Village Improve-

ment Societies" have taken the beautifying of the town in hand and by encouraging and directing the improvement of the residential streets by planting trees and vines, and in other ways have done very effective work. These associations usually receive a grant from the municipality, receive private subscriptions and take charge of the actual planting, the property owners contributing a fixed proportion of the cost of planting opposite their own premises. In several Ontario towns the municipal authorities have undertaken this work, appointing a tree inspector or park commissioner under whose direction all street trees must be planted, and defraying the cost partly from general revenues, partly from a local improvement tax. It is only in this way that any general effect may be obtained and in no better way can money be expended by the municipality than this. It adds to the attractiveness of the place to strangers, makes it healthier and elevates the moral tone of the community.

Tree planting should not be confined to the wealthy residential streets. Trees are more needed in the poorer quarters where the population is crowded and the presence of the shade will inculcate in the residents more pride in their surroundings, so that the district will be beautified in many ways.

WHAT TREES TO PLANT.

This is a very wide question for there are so many beatiful trees that will thrive in Ontario that it is difficult to decide on the best. Among the most popular trees to be seen in various towns, may be mentioned, the hard or sugar maple, American elm, tulip tree, linden or basswood, soft maple, horse chestnut, mountain ash, Norway maple, ash-leaved or Manitoba maple, ash, balsam, poplar, birch and oak. In most cases the ever greens are confined to hedges or planted on lawns as ornamental trees, very seldom are they planted in rows on the streets.

Of the merits of these different trees for street planting there are nearly as many different opinions as there are varieties of trees. All things considered however, the writer is decidedly of the opinion that our national tree, the maple, and the elm are by all odds the best trees to plant on town or city streets. Where the streets are narrow however, the elm may be found unsuitable owing to its great spread of branches. For the same reasons where the street trees have to be planted near the houses, elms, when they have reached their growth would be too close. On a wide street, however, where the trees are to be planted outside the boulevard, the elm is particularly suitable and no finer avenue can be seen than one shaded by this tree.

The maple as a shade tree, is to many people quite as beautiful as the elm, but of a different shape. If allowed to grow without much pruning the hard maple assumes a symmetrical shape and makes a beautiful shade tree, while in the autumn no other tree can compare with it. The foliage, without being so close as to kill the grass under the tree by dense shade, is at the same time strong and even. Both maples and elms are hardy, both grow rapidly and are easily obtainable.

The horse chestnut is in many places a popular shade tree. It is very hardy, has a round, compact crown, but creates a very dense shade and causes a great deal of litter.

The leaves are so heavy that when they fall off they do not blow away but remain on the sidewalk unless swept off and the walks are stained by the tannin of the leaves. The husks of the nuts also add to the litter, and boys are apt to disfigure the trees in knocking the nuts off.

A very handsome tree but little used is the linden or basswood. The balsam pop'ar or "Balm of Gilead" is a very fast growing tree but the cottony covering of its seeds is a great nuisance and it is losing ground in popular favor.

Having decided what kind of tree to plant, it is very important to see that the trees selected are in good condition. The bark should not be injured, the root system should be full and not allowed to get dry, and the tree should not be too large.

SPRING VS. FALL PLANTING.

The question of when to plant is one that has been a matter of dispute for many years. The writer favors fall planting for most trees, although if the season is a wet one spring planting may be very successful. Having decided upon the sorts of trees to be planted, some general ideas on the subject of planting may be of interest and value. In planting for shade or ornament it is well to remember that trees grow, and to keep them far enough away from the house if possible, so that when they are grown they will not prevent the sun from reaching the windows. It is becoming popular in many places to place the sidewalk next the roadway, and this necessitates placing the trees inside the walk. In the case of narrow streets, where the houses are placed near the street line, it is questionable if it would not be well to leave enough space, say four feet, between the sidewalk and the curb for the trees. Care should be taken, however, that they are not so near the curb that they can be reached by the wagon hubs.

HOW TO PLANT.

Trees to be selected for planting should not be too tall. The long "whipstock' saplings with a small tuft of leaves at the top are not good stock for shade trees. They are easily injured by the wind, and greatly set back by transplanting. Better to have saplings of not more than four or five feet high with more limbs and roots. Care should be taken that the root system is ample for the tops. If the roots are broken or damaged it will be wise to cut off the broken parts with a sharp knife, and when this is done the limbs should be shortened to match.

Mr. John C. Hall, City Forester of Philadelphia, gives his practice in planting as follows:—

"The rule adopted four years ago, and which has proved successful, is this: On an unpaved sidewalk, where nothing obstructs, the hole for the tree should be dug three feet square and three feet deep, and refilled with rich earth free from all deleterious substances. On a paved sidewalk, where the aperture is about two feet only, excavate till at least a full-sized cartload of rich earth can be deposited in the hole made, the depth being considered rather more than the width in this case.

"Care must be taken to firm the earth as it is filled in, and in the performance of this operation the human foot is far preferable to the rammer; the elastic tread of the former produces a better firming effect, and excludes the air far better than the latter. In planting the tree carefully observe the surface mark on the stem, and avoid planting too deep. My rule is to raise the tree one and a half inches above the mark of the nursery ground line, so that when the ground sinks into its normal condition, which it invariably will, however well firmed or rammed, the tree will then be at its proper depth.

"I do not in all cases agree with the practice of puddling the roots of trees immediately prior to planting, but prefer giving a liberal supply of water at the close of firming. When the water has disappeared the soil should be filled in slightly above the surface line and leveled off without further treading or firming, and if the weather be dry the earth should be kept moist by an occasional watering. This applies to spring planting only, for rarely, if ever, is it necessary to water trees that are planted in the fall season."

When the trees are properly planted they have a great many enemies to contend with, not the least being the small boy, who loves to swing around them or cut them with his pocket knife. Many varieties of tree guards have been designed, but the most satisfactory one is now said to be a piece of wire netting wrapped round the trunk, leaving it loose enough to allow for the growth of the first two years. This is cheap and effective.

DISTANCE.

The proper distance apart for street trees depends largely on the kind of trees to be used. When grown to a good size the elm has a greater spread of branches than the maple, which latter requires more room than the horse chestnut. A plan sometimes followed is to plant alternate maples and elms about twenty feet apart, taking out the maples when the branches begin to touch those of the adjoining tree. This would leave the big elms about forty feet apart.

If maples alone are planted they might be placed fifteen feet apart, which would give the mature trees thirty feet of space. Where the alternate trees are to be taken out, they should be removed before the branches interlock or the shape of the crown of the remaining trees will be spoiled.

The importance of well shaded streets can scarcely be overestimated, and it requires only concerted action on the part of a few public spirited citizens in each town to effect a great deal throughout Ontario in this direction.

TENT CATERPILLARS.

By W. Brodie.

Few insects have attracted more attention or figured so largely in economic entomological literature and none have done greater injury to fruit and forest trees, than the two Ontario species of tent caterpillars, *Clisiocampa sylvatica* and *Clisiocampa americana*. Both species are found in our forests. The larvae of the former feed on the leaves of hardwood trees, the larvae of the latter on the leaves of native cherry trees, the black

cherry,—*Prunus serotina*, a common forest tree, bird cherry—*Prunus pennsylvanica*, and choke cherry—*Prunus virginiana*, these two growing in neglected fields, in open thickets and along river banks. But although the larvae seem to prefer the leaves o these three native cherries to even the apple tree, I have fed them on the leaves of many rosaceous plants, and no doubt they will thrive on the leaves of most plants in the rose family.

It has been satisfactorily shown that these wild cherry trees afford the normal food and habitat of *C. americana*, where the larvae feed unobserved until near the maximum period when the imagoes migrate and oviposit on the slender twigs of orchard trees, and in the following spring swarms of young larvae appear and their work of destruction goes on.

The remarkable fact of the irregular periodicity of these two species of destructive insects is well known to all carefull observers. In 1856-1858 both species had attained a numerical maximum and were conspicuously destructive to forest trees and to orchards in extensive isolated areas, generally throughout the Province, aud since then there have been several alternations and three well defined periods of maximum development.

In many of the leaf-eating insects there is a firmly established and unvarying relation between them and the parasites which keep them in check, so that the leaf-eaters are never very numerous nor ever altogether absent. But there are other leaf-eating insects in which the checking parasitic relations are very complicated and not at all uniform, and among these are the most destructive species.

It would seem that for some cause—not very well understood—the parasites are few or are entirely absent for a few years, thus giving the leaf-eating species an opportunity to go on at their normal rate of increase. But migrant parasites come in from sections where they are numerous, it may be but one, it may be several species, and these, having a greater ratio of increase than the leaf-eating species soon bring them down to zero, or even to extermination.

In June, 1898, a large collection of the larvae of *C. americana* was made from several localities within a short distance of Toronto, which had fed on native wild cherry trees, and it was found that a little over seventeen per cent. were parasitized. Four species of parasites were reared from this lot. Many of the *C. americana* larvae contained five *Tachina* parasites. This corresponds very closely with investigations made on the larvae of *C. Sylvatica* by Mr. F. Morris, M.A., at Perth, and by Miss Bessie Cockburn at Huntsville.

On June 10th, 1899, a collection of 2,000 larvae of *C. americana* was made near Toronto, which had fed on native wild cherry trees. From this date until July 1st, '99, three species of *Tachina* and five species of *hymenopterous* parasites emerged. And it was found that thirty-seven per cent. of the leaf eaters were parasitized. Two or more species of parasites do not emerge until the following spring. All these results agree very closely with the results of investigations by John McArthur, Rosedale, by Mr. James Brodie, Bethesda, and by Miss B. Cockburn, Bracebridge.

From the evident increase of the parasites it is almost certain that another season will bring either of the two species down to zero, wherever they have been at a maximum this season.

The only element of doubt is in our ignorance of the life history of the parasites which emerge in June, as they will not find tent caterpillar hosts until the following April. If they find other insect hosts and give out a second brood late in the fall or early the following spring, this would favor their increase, but if they have to live through the summer and winter in the imago form their numbers may be greatly lessened.

A few of our native birds feed on tent caterpillar larvae, a small percentage, perhaps one-half of one per cent. may be destroyed in this way, but anyway this is of doubtful utility or rather in favor of the leaf-eater, for experienced observers agree that insect parasitism is the only certain and economic natural power to keep plant-eating species in check, and to destroy them while in the larvae form is the certain way to check the natural increase of parasites.

A HISTORY OF CROWN TIMBER REGULATIONS.

FROM THE DATE OF THE FRENCH OCCUPATION TO THE PRESENT TIME.

Compiled with the Assistance of Mr. Aubrey White, Assistant Commissioner of Crown Lands.

The Ontario system of dealing with the timber upon Crown Lands, as it exists today, is far in advance of any other system of regulating the disposal of public timber resources on this Continent. Those in charge of it from time to time have made greater efforts to preserve for public uses as large a measure as possible of the country's natural wealth than have been attempted elsewhere. Though, owing to the difference of local conditions, we are, as yet, far from the perfected forestry system of Europe, the result of the increased attention bestowed upon the question of forest preservation has been a gradual development in the direction of modified forestry methods, calculated to secure the perpetuation of the woodlands with the least possible disturbance of existing interests. The latest legislation providing for the establishment of forest reserves is a further step to the same end, designed not only to secure for the people the largest possible present return from the timbered area of the Crown domain, but to secure that revenue in perpetuity. In order to a thorough understanding of the present system as it has been evolved by means of numerous modifications and advances from the point of beginning, with a view to possible suggestions for such alterations as may more efficiently subserve the ends in view, it is necessary to study its growth and development from the earliest days of Canadian colonization to the present time. Moreover, to obtain a complete grasp of the subject in all its bearings it is requisite to consider it in connection with the various systems of Crown Land management which have from time to time prevailed. The two branches of administration are so intimately connected that it is hardly possible to treat intelligently of one of them without largely adverting to the other. In fact, during the French Regime the timber resources were regarded as of comparatively little importance and furnished such a small part of the commerce, or the interests of the colony, that they were treated merely as incidental to the general land policy of the Government, and the relations between the Crown, the Seignior and the habitant under the feudal tenure which then prevailed. Apart from the adjustment of the respective rights and privileges of these parties in the timber upon the lands granted for settlement, there can hardly be said to have been any system of timber regulations in existence. The aim of the French in colonizing the banks of the St. Lawrence waas to reproduce, as far as possible, in spirit and in form the political and social institutions of France in their New World Empire. They faithfully copied those survivals of the feudal system, based upon the needs and conditions of a bygone age, which, already out of harmony with the growing spirit of industrial and commercial development at home, were doubly unsuited to the environments of a new country. The principal characteristic of the system was the broad and clear-cut distinction between classes recognized by law and embodied in the system under which the lands of the colony were distributed and held. Large areas were allotted to the Seigniors, who were the only class to hold their titles directly from the Crown, and received their grants on the express condition of sub dividing them among tenants or censitaires. The conditions upon which the latter obtained their lands not only involved the payment of rents, but the performance of a number of other duties and obligations, not always exactly defined, and numerous reservations and conditions affecting the land, some of which were in accordance with the terms of the original grant, while others appear to have been arbitrary or in accord with ancient

The French Regime.

The Seigniors.

feudal custom. The Seignior was invested with privileges of a much more extensive character than appertain to the landlord under the British law. Among others the authority of administering justice among his dependents.

The following extract from a grant made in 1683 by the Governor and Intendant of Quebec embodies the conditions upon which the Seigniories were usually granted.

A Seignorial Grant.

"We, in virtue of the power intrusted to us by His Majesty, and in consideration of the different settlements which the said Sieur de la Valliere and the Sieur de la Poterie, his father, have long since made in this country, and in order to afford him the means of augmenting them, have to the said Sieur de la Valliere given, granted, and conceded and by these presents do give, grant and concede the above described tract of land; to have and to hold the same himself, his heirs and assigns forever, under the title of fief, Seigniory, high, middle and low justice (*haut, moyen et basse justice*), and also the right of hunting and fishing throughout the extent of the said tract of land; subject to the condition of fealty and homage (*foi et hommage*) which the said Sieur de la Valliere, his said heirs and assigns, shall be held to perform at the Castle of St. Louis in Quebec, of which he shall hold under the customary rights and dues agreeably to the custom of Paris, which shall be followed in this respect provisionally and until otherwise ordained by His Majesty; and that the appeals from the judge of the said place shall lie before the Lieutenant-General of Three Rivers; and also that he shall keep house and home (*feu et lieu*) and cause the same to be kept by his tenants on the concessions which he may grant them, in default whereof he shall re-enter *pleno jure* into the possession of the said lands, that the said Sieur de la Valliere shall preserve and cause to be preserved by his tenants within the limits of the said tract of land, the oak timber fit for the building of vessels; and that he shall give immediate notice to the King or to us, of the mines, ores, or minerals, if any be found therein; that he shall leave and cause to be left all necessary roadways and passages; that he shall cause the said tract of land to be cleared and inhabited, and furnished with buildings and cattle within two years from this date, in default whereof the present concession shall be null and void; the whole under the pleasure of His Majesty, by whom he shall be held to have these presents confirmed."

Oak Timber Reserved.

It will be seen that this document comprises a reservation of the oak timber on the domain adapted for shipbuilding. This condition was general if not universal, in all the grants made by the French Crown. The only aspect of the question in which the Government took any concern was the maintenance of an ample supply of timber for the Royal Navy. Some later grants, in addition to oak, reserved timber for masts and spars, presumably pine. Apart from this object, the disposal made of those pine forests, which in modern estimation form so important a feature of national wealth, by either Seignior or habitant, seems to have been regarded with indifference, and no idea was apparently entertained of holding them as a source of revenue, or a valuable possession of the government, irrespective of the land. The old records show that the reservation of oak timber in the grants of Seigniories was by no means a dead letter. In 1731 a permission was issued to cut oak timber for a war vessel in the following terms:

Permit to cut oak.

"It is permitted to Sieur Abbe le Page to cut in the seigniories of Berthier and Dautray two thousand cubic feet of oak wood, following the plans and models which we have caused to be forwarded to serve for the construction of war vessels of five hundred tons, which the King designs to have constructed in Quebec, which timber he shall conduct in ratts (*cageux*) in the River St. Charles before the palace of this city to be there received and inspected in the customary manner.

"The present permission is given in conformity to the reservation which His Majesty has made of this wood for his service in the concession of lands and seigniories in this colony.

"We command the Seigniors, the captains and coast officials and all other to whom it may appertain, to aid, and cause to be aided, if it is necessary, the said Sieur le Page in the said exploitation, in return for reasonable wages to those whom he shall employ in the aforesaid exploitation.

"Done at Quebec, the 5th of October, 1731.

"Note.—Similar permission has been extended to Sieur de Bleury, in the Seigniory of Longueuil which abuts on the said Seigneury of Chambly, and for three leagues extending along the River of Sorel on both sides past the said Seigniory of Chambly and descending the said river of Sorel."

(Signed) HOCQUART.

In 1740 the Governor, having been informed that a considerable quantity of oak suitable for the construction of the King's vessels had been found at Isle Jesus in the Seigniories of the Lake of Two Mountains, and in Isle Bizard, issued an ordinance expressly forbidding the proprietors "of whatever quality or conditions they may be" cutting any oak until it had been inspected and such of the trees that were found adapted for naval construction marked and retained. The penalty of any contravention of this ordinance was to be confiscation of the timber and a fine of ten livres for each tree destroyed.

Early Settlers Grievances

The reservation of all *oak trees*, as in the case of the present reservation of *white pin* in patents granted to settlers sometimes created difficulties in regard to the clearance of the land. Obviously if the reserved trees grew in any considerable number on the habitant's grant, he could not fulfil simultaneously his undertaking to clear the land and the stipulations as to preserving the timber. A case arising out of a dilemma of this sort in 1722 is on record, when Michael Laliberte, habitant of Isles Bouchard appealed to the Governor against his feudal superior, Sieur Desjordy. Laliberte in extending his clearing cut down some oaks, and instead of following what appears to have been the usual practice of burning them on the land, had them sawn into boards. This the Seignior claimed that he had no right to do under his title deed, whereby oaks were expressly reserved, and by way of penalty confiscated 36 minots of wheat due to Laliberte under an agreement where by the latter was cultivating land of Desjordy's on shares. The Governor decided that as the reservation of oaks in the deed to Laliberte was made in consequence of a clause in the original deed of the Seigniory obliging the proprietor to cause his tenants to reserve the oak timber for the royal navy, the timber could not in any case belong to the Seignior; furthermore, that as it was desirable that the land should be improved, which could not be done without cutting down the trees, it was for the public benefit that valuable timber so cut down should be made into boards or cordwood, rather than burned on the spot, as the money so realized would help the habitants to establish themselves. Accordingly Sieur Desjordy was prohibited from further troubling his tenants when getting out and disposing of oak timber in future in the process of extending their clearings. In cases where the party cut the timber down solely to sell it without afterwards clearing the land, he was permitted to seize the timber and bring the case before the Governor. It appears from this decision that even at that comparatively early date the powers of a Seignior, however extensive in theory, were nevertheless in course of being very considerably modified in practice.

The property of the Crown.

Trespass.

Complaints as to the trespasses made by the habitants in cutting wood upon ungranted lands or property not belonging to them were of frequent occurrence, and numerous ordinances were issued from time to time in prohibition of the practice. The following ordinance indicates the difficulties experienced by the authorities at an early date in dealing with such cases:

"Upon the complaints which have been made to us by many inhabitants of thi city, proprietors of the lands of Cote Saint Jean and neighborhood, that some individual

away from the said lands cut down and carry away, daily, wood for burning, against and in spite of the prohibitions which have been made by many ordinances heretofore given, by which it is forbidden as well to the said inhabitants of this city as to those of the said quarter, to cut down or take away any wood upon the lands of the other inhabitants on penalty of fifty livres fine, and of confiscation of the trucks and horses which shall be found laden with the said wood, which it is necessary to consider in reiterating the said prohibitions.

"We most expressly prohibit and forbid all persons to cut down or carry away any wood on the lands of which they are not proprietors, without previously having obtained the permission of those to whom they belong, on penalty against each of those contravening of fifty livres fine, and of confiscation of the trucks and horses which shall have served to transport the said wood, the said confiscation and fine to be applicable half to the proprietor of the lands upon which the wood shall be taken and the other half to the Hotel Dieu of this City.

"And the present ordinance shall be read, published and affixed at the close of the grand mass of this said city, and of that of the parish of Notre Dame de Foy, to the end that the inhabitants of this said city and those of the neighborhood shall not be able to pretend cause of ignorance of it.

"We command, etc. "(Signed) MICHAEL BEGON.

"Done at Quebec the 27th of December, 1713."

A similar prohibition was issued in 1747 at the suit of the Ursuline Nuns of Quebec, proprietors of the Seigniory of Sainte Croix, whose inhabitants were charged with cutting wood upon lands not included in their grants, "which is a considerable injury to them, because the said lands being impoverished no habitant wishes to take them to establish himself there" A penalty of ten livres was accordingly proclaimed for all contraventions of the ordinance, to go to the Fabrique of the parish. Another question which arose at an early day in the history of the province concerned the furnishing of supplies of timber for bridge building. The following ordinance dealing with the subject seems to embody the germs of our modern much criticized local improvement system :

Local Improvement Laws.

"Michel Begon, Intendant of Justice, police and finances in Canada, Acadia, the Island of Newfoundland and other northern French countries.

"It being necessary to prevent the disputes which may arise on the subject of furnishing the timber necessary for the construction of the bridgse over the rivers which pass through the main roads, we ordain that all the timber necessary for the construction of the said bridges shall be taken from the lands nearest the said rivers, considering that the proprietors of these lands receiving the accommodation of these bridges and these rivers ought also to sustain the expense of them.

"We enjoin upon all the inhabitants of the parish where the said bridges shall be made to labor in cutting down all the timber which shall be necessary for this work, and to deliver it upon the spot.

"We command the captain of the district to attend to it.

"(Signed) BEGON.

"Done at Quebec 6th March, 1713."

Oak Reserved for Navy Only.

There appears to have been no reservation of timber in the old grants for military purposes, or any other public use than naval construction. By an ordinance of the Superior Council, dated 10th July, 1664, compensation is directed to be made by the Government to Sieur Poyrier for timber taken from his Seigniory for the construction of casemates, for which he was ordered to be paid the sum of twenty-five livres, tournois. But during the later years of the French regime the tendency was to extend the restrictions under which land was granted, with a view to providing for other public requirements from the timber existing on the grants without having to make compensation. A comprehensive report on the

subject of the Seigniorial tenures was made to the Legislative Council of Quebec by Hon. J. Williams, Solicitor-General of the Province, on the 5th October, 1790. He enumerates the reserves and conditions customary in the ordinary grants, the only one relating to timber being that already referred to, viz. : "That the grantee should conserve all the oak timber growing on his domain, and cause all the oak timber suitable for the construction of the King's ships to be preserved by his feudatories and tenants." The more modern grants, the report goes on to say, comprise the same reserves and conditions, but contain yet other stipulations. One of these is as follows :

Army Reserves.

"That provided the king has need of any part of the lands granted for the construction of forts, batteries, armouries, magazines or other public works, he shall have the liberty to take such portion, together with the necessary trees and timber, and fuel for the supply of the garrison in the area of the granted lands without being held or obliged to make any compensation for it to the grantee. In many of the later grants the king reserves to himself the right to take oak timber, masts and yards, and all other timber fit for the construction and equipment of his vessels without making any compensation for it. And in one grant the king reserves for himself the red pine to make mouldings (*du godron*)."

The Seigniors, acting no doubt under the influence of Old World traditions, such as frequently maintain themselves longer in an isolated colony than in their original birthplace, appear to have exacted from their tenants many conditions which were not strictly legal. They inserted extensive reservations in the title deeds which were not warranted by the conditions on which they were held from the Crown. The relations between the Seigniors and their tenants, as the system fell into desuetude,

Landlord and Tenant.

continued to be a vexed question in Lower Canada long after the cession of Canada to the British, and were not finally settled until the passing of the "Seigniorial Act of 1854," which provided for the extinguishment by compensation of the somewhat shadowy and indeterminate vestiges of the Seigniorial title to lands, the occupants of which had practically become the owners. By this enactment a special court was constituted to ascertain, as far as possible, in just what particulars the claim of the Seigniors for compensation for the relinquishment of all their privileges was legally valid. Among the numerous questions submitted to this tribunal by Hon. Lewis Thomas Drummond, Attorney-General for Lower Canada, in order to arrive at a basis for fixing the amount of compensation to be awarded was the following, relating among other matters to reservations of timber made in the grants by Seigniors to inhabitants other than those specified in the original grants from the Crown.

Seignorial Tenure.

"In various deeds of grant of lands held *en roture*, covenants are found, tending to establish in favor of the Seignior, reservations similar or analogous to the following :—

1. A reservation of the timber for the building of the manor-house, mill and churches without indemnity.

2. A reservation of firewood for the use of the Seignior.

3. A reservation of all marketable timber.

Were these reservations, or any, and which of them, legally made, and do they give the Seignior a right to be indemnified for the suppression of them to be effected by the said Seignorial Act ?

The summary of the judgment of the Court upon these points was as follows :—

"All reserves must be held to be legal the object of which was the obligation upon the tenant (*censitaire*) to allow the accomplishment by the Seignior on his part, of the obligations of that nature stipulated by the King in the grant of the fief.

Illegal Reservations.

"That the following reservations or others, analogous to them, were illegal and do not give to the Seignior a right to indemnity by reason of their suppression. Art. 1—A reservation of firewood for the use of the Seignior. Art. 2—A reservation of all marketable timber. * * * *

"The reservation of timber for the construction of churches without indemnity, and the reservation of the right of fishing and hunting on the lands conceded are illegal and give no right to indemnity.

"The question being put 'is the reservation of timber for the building of the manor-house and mills without indemnity legal, and does it give to the Seignior a right to indemnity for its suppression?' the Court is equally divided."

Briefly then, the main features of the system of timber administration at the close of the period of French rule in Canada were the reservation by the Government of timber adapted for naval and military purposes, and the further customary, but not strictly legal, reservations by the Seigniors, of timber for various purposes out of the forest products of the holdings leased to their habitants, with frequent interventions on the part of the authorities to prevent the unauthorized stripping of lands of their timber by those not entitled to it, without any attempt to make the timber resources tributary to the public revenue.

THE BRITISH OCCUPATION

When the British took possession of the colony in 1763 very elaborate instructions were furnished to the first Governor James Murray, as to his administration of the new acquisition. The first thought of the Home Government in relation to the forests of Canada was the necessity of preserving the timber for the same purposes which were regarded as of such paramount importance by the French. They appear to have contemplated a more general and systematic method of accomplishing this object than the mere reservation of the timber in the deeds, as will be seen from the following extracts from Governor Murray's instructions dated Dec. 7th, 1763.

"You are therefore to lay out townships of convenient size and extent in such places as you, in your discretion, shall judge most proper; and it is our will and pleasure, that each township do consist of about 20,000 acres, having, as far as may be, natural boundaries extending up into the country and comprehending a necessary part of the river St. Lawrence where it can conveniently be had.

"And you are also to reserve to us proper quantities of land in each township for the following purposes, viz: For erecting fortifications and barracks where necessary, or other military or naval services, and more particularly for the growth and production of naval timber if there are any woodlands fit for that purpose.

The first Forest Reserves.

"And whereas, it has been further represented to us that a great part of the country in the neighborhood of Lake Champlain, and between Lake Champlain and the River St. Lawrence abounds with woods, producing trees fit for masting for our Royal Navy and other useful and necessary timber for our navy constructions; you are therefore expressly directed and required to cause such parts of the said country, or any other within your government that shall appear on survey to abound with such trees and shall be convenient for water carriage, to be reserved to us and to use your utmost endeavor to prevent any waste being committed upon the said tracts by punishing in due course of law any persons who shall cut down or destroy any trees growing thereon, and you are to consider and advise with our council whether some regulation that shall prevent any sawmills whatever from being erected within your government without a license from you or the Commander-in Chief of our said province for the time being, may not be a means of preventing all waste and destruction in such tracts of land as shall be reserved to us for the purposes aforesaid."

Strict Regulations.

It is to be regretted that these instructions as regards the maintenance of the timber reserves were not carried into effect, the new rulers no doubt finding many matters of a more urgent character on their hands, and possibly concluding as observation revealed the vastness of the supply, that solicitude for the future was superfluous. Had the far-sighted policy outlined by the British Government been followed, and a timber reserve maintained in each township in addition to such extensive reservations of pine-growing lands as are indicated in this document, with the adoption of precautionary measures

against waste and destruction, the agricultural fertility of large overcleared tracts now suffering from greatly diminished productiveness would have been retained, and extensive areas now rendered unproductive by being denuded of their timber, would still contribute to our national prosperity.

Pine lands Reserved.

Twelve years afterward in 1775 the same views were still entertained by the British authorities. Again, the setting apart of pine-bearing lands was enjoined, Guy Carleton, "Captain General and Governor-in-Chief of the Province of Quebec and all territories dependent thereon" receiving among other instructions, the following in relation to pine bearing lands.

"It is our will and pleasure, however, that no grant be made of any lands on which there is any considerable growth of white pines fit for masting for our Royal Navy, and which lie convenient for water carriage, but that you do cause all such lands to be set apart for our use, and proper Regulations made, and Penalties inflicted to prevent trespasses on such tracts, and the cutting down and destroying the trees growing thereon."

The Rules and Regulations for the conduct of the Land Office Department, issued in Quebec under date of February 17th, 1789, were based upon the same principle of preserving, in the hands of the Crown, any tracts of land of a specially valuable character either by reason of their location or their natural products, and confining the grants made to individuals to ordinary agricultural lands. The following is the text of the regulations dealing with the subject:—

Minerals and Water Powers Reserved.

"And to prevent individuals from monopolizing such spots as contain mines, minerals, fossils, and conveniences for mills and other singular advantages of a common and public nature, to the prejudice of the general interest of the settlers, the Surveyor General and his agents or Deputy Surveyors in the different districts, shall confine themselves in the locations to be made by them upon certificates of the respective boards to such lands only as are fit for the common purposes of husbandry, and they shall reserve all other spots aforementioned together with all such as may be fit and useful for ports and harbors or works of defence, or such as contain valuable timber for shipbuilding or other purposes, conveniently situated for water carriage, in the hands of the Crown."

No approach was made to a license system, nor any arrangement made by which the public could receive any return for the privilege of cutting timber on the Crown domain for other purposes than naval construction, until a considerably later date.

Naval Contract abused.

Licenses to cut timber in the Canadian forests were granted by the Home Government to the contractors for the Royal Dockyards, who in addition to filling their contracts, took advantage of the privileges afforded them for that purpose, to do a general business in supplying the British markets. They carried on this profitable enterprise by issuing licenses to merchants and Lumbermen in Canada who operated as their agents, as they were legally authorized to do. The Upper Canada Gazette contains the following notice of a Royal warrant vesting in a firm of navy contractors the right to cut trees reserved to the Crown in Upper and Lower Canada, together with the appointment of a Canadian Mercantile house as their agents, which illustrates the working of the system.

Council Chamber, 23 January, 1808.

Notice is hereby given by His Excellency, the Lieutenant Governor-in-Council, to all whom it may concern, that His Majesty has been pleased to issue His Royal Warrant in the words following:

George R.

"Whereas, a Contract has been entered into by the principal Officers of His Majesty's Navy, with Messrs. Scott, Idles & Co., supplying His Majesty's dockyards in England and the West Indies, with Canada Masts and Oak Timber, and it being stipulated in the said contract that no Masts or Bowsprits which are cut in His Majesty's Colonies shall be de

livered at the Dockyards unless they are cut by License from His Majesty's Surveyor of the Woods in North America, and also if it should be required, under the inspection of this Officer. Upon the representation of the matter to Us by the Commissioner for executing the Office of High Admiral of Our United Kingdom of Great Britain and Ireland, We have thought fit to give Leave, License and Permission unto the said Messrs. Scott, Idles & Co., their agents and workmen, to travel into and search Our woods in Our Provinces of Upper and Lower Canada, where We have reserved to Us the property in any Woods or Trees, and the right of cutting them, and there to fell and cut so many good and sound trees as may answer the number and dimensions mentioned in the said contract (a copy whereof subscribed by one of Our Principal Secretaries of State is hereunto annexed) and to carry the said trees through our said Woods to the water-side in order to the transporting and bringing them into our own stores without incurring any penalty or forfeiture by reason thereof.

An Extensive Timber Limit.

"And lastly; We do hereby require as well as Our Governor or Lieutenant-Governor of Our said Colonies as you and all Our Officers, Ministers and Loving Subjects, whom it may concern, to be aiding and assisting to them, their Agents and Workmen, in whatever may relate to the due execution of this service, pursuant to the Contract above mentioned. And for so doing this shall be your warrant.

"Given at Our Court of St. James, the second day of October, 1807, in the forty-seventh year of Our reign.

"By His Majesty's Command,

(Signed) "Castlereagh.

"To our Truly and Well Beloved Sir John Wentworth, Baronet, Surveyor General of Our Woods on the Continent of America, or to his Deputy or Deputies, or to the said Surveyor General of Our said Woods, his Deputy or Deputies, for the time being, and all other whom it may concern."

Transfer of License.

"We, the undersigned contractors named in His Majesty's Gracious Warrant, do hereby appoint Messrs. Muir & Joliffe our agents at Quebec, for the purposes within mentioned.

(Signed) Scott, Idles & Co."

London, 9th October, 1807,

"His Excellency further gives notice, that a Contract has been made under the authority of the said Warrant with Messrs. Scott, Idler & Co., Merchants in London, who have appointed Messrs. Muir and Joliffe, Merchants at Quebec, to be their agents for the purposes therein mentioned, and that no irregularity may take place on the part of the said Contractors, their Agents or Workmen, His Excellency has thought proper to order the Deputy Surveyor General of the Woods to mark such White Pine Trees as come within His Majesty's orders expressed in the above Warrant.

By His Excellency's Command,

John Small,
Clerk of the Executive Council."

Colonial Protection.

A great impetus was imparted to the development of the Canadian lumber industry by the financial policy of the Mother Country during the first quarter of a century. The imposition of heavy duties on foreign timber, levied in the first instance as a revenue measure to provide for the expenses of the French war, but afterwards retained with the avowed object of affording protection to colonial trade, caused a sudden and rapid expansion of the volume of timber importations from British North America.

In the year 1787, when the trade was in its infancy, a general consolidation of the duties took place, the impost on foreign timber being fixed at 6s. 8d. per load of 50 cubic feet brought in by a British vessel, with an addition of 2d. in case the shipment was made in a foreign vessel. In 1795 the financial strain, caused by the war, occasioned

a substantial increase, and a series of additions took place during the following years, the details of which it is needless to specify, until in 1810, which marks the commencement of the protective era, the timber duty was placed at £21.4.8 per load in a British ship, and 2s. 8d. extra in a foreign vessel. The culmination was reached in 1813, when an addition of 25 per cent. all round on customs duties was imposed, making the timber duty £3.4.11, with an additional 3s. 2d. when carried under a foreign flag. A very slight re-adjustment took place in 1819, when the war duties, originally designed to be merely temporary, were consolidated with the permanent imposts. The system was again revised in 1821, and a considerable reduction was made; the duty on foreign timber being fixed at £2 15s. per load, with the addition of 2s. 9d. for the protection of the British carrying trade. Then for the first time a substantial duty, amounting to 10s. per load was imposed on colonial timber, which up to that time had been virtually free, and which still was accorded the protection of 45 shillings per load, as against the European product.

Preferential Duties.

The effects of this policy were soon manifested in the falling off of importations from the Baltic and other European ports, which in the beginning of the century furnished nearly the whole of the timber shipped to Britain, and the corresponding increase of colonial production and exportation.

An elaborate statistical table, showing the amount of timber consumed in the United Kingdom in each year between 1788 and 1833, with the quantities imported from the North American colonies and Europe respectively, was furnished to a Select Committee of the British House of Commons, appointed in 1835 to consider the question of timber duties. An analysis of these figures shows conclusively the effect of the policy of the Imperial Government in encouraging the development of the colonial timber industry, which had increased by leaps and bounds. During earlier stages of the period covered by this table, comparatively little change is noticeable in the relative volumes of the European and British North American traffic—the increase in duty not being sufficient to overcome the strong prejudice then widely entertained against Canadian as compared with Baltic timber, and to counterbalance the lower freight from European ports. The first noteworthy increase in the volume of the colonial importation was in 1803, when the number of loads brought in from British North America increased from 5,143 the figure at which it had stood the year previous, to 12,133. The European importations for the same year amounted to 280,550 loads. The proportion of colonial timber steadily increased for some years, until in 1807 it reached 26,651 loads, as against 213,636 loads of the foreign product. The next year it had more than doubled, and in 1809 exceeded for the first time the European consignments, the figures being 90,829 and 54,260 loads respectively.

A Colonial Timber Boom.

In 1811 the United Kingdom received timber shipments to the amount of 154,282 loads from British North America, and 124,765 loads from European ports. The war of 1812 caused a depression in the colonial trade, during which the foreign article took the lead until 1816, when the colonies supplied nearly twice the quantity furnished by Europe. The volume of British American importation rose from 153,707 loads in that year to 248,669 in 1818. The figures of the trade at this period, and some years following, show not merely a large increase in the Canadian trade at the expense of the Baltic exporters, but a very steady and considerable augmentation in the total volume of timber consumption. In the five years, from 1819 to 1823 inclusive, the average annual importation from all sources was 452,158 loads, of which 166,600 came from Europe, and 335,556 from the colonies.

Heavy Exports.

The five years following, 1824 to 1828, average as follows:—Total importations of timber, 602,793 loads; European product, 191,890; colonies, 410,903. Notwithstanding that the duty on foreign timber had been reduced, and a small duty on the colonial product imposed in 1821, the expansion of the traffic continued unchecked, showing that very substantial differentiation of 45 shillings per load in favour of British America was sufficient vantage ground as against foreign competition, with cheaper freight rates.

The British American trade had to make headway against the general but wholly unfounded prejudice, which for a long time prevailed in Britain with respect to the

quality of the colonial growth. The evidence taken in the course of an enquiry into the timber trade by a Select Committee of the House of Lords in 1820, which resulted in the changes of duty effected the year following, brought out some strong expressions of opinion by timber experts as to the inferior grade and undesirable qualities of Canadian timber as regards strength and durability, which to-day would only excite ridicule on the part of any one conversant with the subject. Some of these utterances are worth while giving, as showing the inveteracy of prejudices born of ignorance and dislike of innovation, and the difficulties with which those who seek to divert trade into unaccustomed channels have to contend.

Prejudice Overcome.

Alexander Copland, a timber merchant and builder, when asked his opinion of the comparative qualities of timber employed, testified as follows: "The timber of the Baltic in general, speaking of Norway, Swedish, Russian and Prussian timber, is of very superior quality to that imported from America; the bulk of that is very inferior in quality, much softer in its nature, not so durable and very liable to dry rot; indeed, it is not allowed by any professional man under Government to be used, nor is it ever used in the best buildings in London. It is only speculators that are induced to use it, from the price of it being much lower than the Baltic timber; and if you were to lay two planks of American timber upon each other, in the course of a twelve month they would have the dry rot almost invariably to a certain extent; if you were to lay two Christiana deals in the same manner for ten years, there would not be the same appearance of it, so that there is something in its quality favorable to the dry rot, which prevents it being used in buildings except where there is a thorough air all around it." He went on to say in reply to other questions, that if the duties were reduced so that the Baltic timber could be sold for the same price as the American product, the latter would never be used except for some temporary purpose.

Exploded Theories.

John White, another experienced timber merchant, gave evidence as regards the supposed liability of American timber to dry rot. "Of the American timber," he said, "we have generally estimated the red pine to be the preferable, but I have had experience latterly of it lately that induces me to form a very unfavorable opinion; where it has been put into green walls it has universally decayed. The soft or yellow pine timber (white pine) which has not apparently so good a character, when exposed to the air lasts very well; enclosed it is subject to rot. The pitch-pine timber, but which comes from the United States, as, indeed, does the red pine, is subject to decay from dry rot, if enclosed, and that very rapidly."

Many other expressions of opinion to the same effect could be quoted from the testimony taken during this investigation, showing how general at that time was the prejudice against American timber, on the ground of its supposed liability to decay more rapidly than the product of Northern Europe. Despite this general impression as to the inferiority of Canadian timber, the volume of importation, as the figures above quoted show, continued to increase enormously, its cheapness, as compared with the heavily taxed import from the Baltic region, being a strong incentive to its use. When once accorded a fair trial, experience quickly proved its merits, and enquiry demonstrated that the notion of its unfitness for building purposes, owing to its special liability to dry rot, was partly due to incidental and preventable causes and partly to the fact that inferior grades of the colonial product had been taken as the standard of comparison with the best of the European timber. These points were clearly brought out in the lengthy and exhaustive investigation held by a Select Committee of the Imperial House of Commons in 1835, when the tone of the testimony given was much more favorable to British-American timber than that recorded fifteen years previously.

Baltic vs. Canadian.

One of the principal witnesses of the investigation of 1835 was Joseph R. Hume of the Board of Trade, who stated that a good deal of very cheap and inferior timber came in from the colonies, which was brought over by "seeking ships," and sold at very low prices. The high protective duty on the Baltic timber kept out the lower and cheaper grades, as it would not pay them to import them, and consequently the British consumer was only acquainted with the better qualities of European timber. A few extracts from the evidence of John

Miller, ship owner and timber importer of Liverpool, given on this occasion, will illustrate the change of opinion in Britain as to the qualities of Canadian pine.

Q "Is it not the price of different articles which governs the consumption of the consumer?

A. Not so much as the quality of the article.

Q. Do you mean to say that there would not be a different balance between the two articles [Colonial and Baltic timber], supposing there was no difference in the duties?

A. I mean to say that, for a particular description of American pine, I could get 3d. to 4d. a foot more than for any Baltic, but that is but a small proportion of the import.

Q For certain purposes, even though there were no duty on either timber, you think that certain better descriptions of American timber would continue to be imported?

A I know it for a fact. I know that now for the very timber of which I speak, as received in very small quantities, I can get a higher price than I can for any Baltic.

Q. When you spoke of a change of taste rather inclining in favor of the North American timber, did you not speak rather with reference to your experience of the manufacturing district in your own neighborhood than to the whole country?

A. I spoke more decidedly with reference to my own neighborhood, but I believe it to be applicable also to the port of London. I refer to the prices current, and the import of the port and the consumption of the different articles, and I find that the consumption of colonial timber is growing very much upon that of the Baltic.

Q. Have you reason to believe from your intercourse with the leading builders in Lancashire, that the estimation of American timber is much increasing?

A. No doubt of it.

Q. Can you state any facts upon the subject?

A. I can state the opinions I know to be entertained by other people. I know that Mr. Bellhouse, who is the largest dealer in Manchester, has changed the views he formerly entertained as to the comparative merits of the two timbers, and that he now gives a decided preference to the timber from the Colonies.

Q. For all purposes?

A. For all purposes. He in building large warehouses, has latterly consumed Canadian yellow pine in preference to Canadian red, Dantzic or Memel. He states, I think, that he consumes about 50 cargoes a year, and even when he can get lengths of Canadian red timber or Memel timber to suit the purpose, he uses in preference Canada yellow pine, and he states his reason that, for the last 15 years he has been a close observer of the different qualities of timber and the different effects produced upon it by exposure to the air and influence of atmosphere, and he finds that when you introduce the yellow pine of Canada into brick and mortar the ends are little liable to decay, and that the ends of either of the red pine timber from Canada, or of Memel and Dantzic timber, are more liable to decay.

Red and White Pine.

Q Does that extend to out-door window frames and such things?

A. We have long used the red pine timber from Canada for that purpose.

Q. Is it more durable when exposed to change of atmosphere?

A. In this country we have not a very great variation of climate, and I apprehend that either timber, if sufficiently exposed to the air will prove durable.

Q. Is not this opinion of Mr. Bellhouse the result of long experience, and is it not a change from his former opinion?

A. Decidedly; and in Glasgow where I know at first, they used for building purposes nothing but Baltic timber, this year I wrote to Glasgow to a correspondent of my own, a large dealer in timber, to give me a statement of the proportion of each sort in consumption there, and he told me that the whole consumption in Glasgow of Baltic timber last year was not 200 loads."

Speaking of the views of timber experts given before the House of Lords Committee in 1820 Mr. Miller added: "I think they were under a mistake which time and further

experience have rectified. I know the nature of the evidence adduced at that time and, so far as my own experience goes, almost every opinion there stated has proved to be wrong."

In short the history of the growth of progress of the Canadian timber export trade to Great Britain is simply a repetition of the familiar story of unreasoning and prejudiced opposition to every new departure from the old established channels of commerce and industry, yielding, gradually but surely, as the innovation succeeds in justifying itself by the test of practical experience. Sooner or later, the timber resources of Canada would have found a market in Britain under any circumstances, but there is no doubt that the financial policy, which, by imposing higher duties on the Baltic timber, gave the colonial product such great advantage in cheapness to the consumers, greatly hastened the period of its introduction for building purposes. Once established firmly in popular appreciation it maintained its ground in spite of the changes in fiscal policy, which deprived it of these factitious advantages.

Duty Reduced.

In 1842 the duty was reduced to 25s. per load on foreign, and 1s. on colonial timber, without resulting in any permanent diminution in the volume of importations from British North America. The great Free Trade movement which resulted in the repeal of the corn laws in 1846 witnessed a further reduction in the foreign timber duties and the total abrogation of the hardly more than nominal impost on the Canadian product.

Gladstone.

In a despatch sent by the Right Hon. W. E. Gladstone, then Colonial Secretary, under date of March 3rd, 1846, to Earl Cathcart, Governor of Canada, announcing the change of policy, the following references to the timber trade of the colonies with Britain occur :—"I have much satisfaction in drawing your Lordship's attention to the fact, that the colonial timber trade prospers under the operation of these changes in the laws which were enacted in 1842, and which had taken full effect before the end of 1843. . . . . The increased facilities of internal transit in this country, independently of the very great temporary demand connected with the construction of the railways, that are to effect this great improvement, promise a considerable and permanent extension of the market for foreign woods, an extension likely to be accelerated, unless it be as to Scotland, by the progressive diminution of the home growth of timber through the United Kingdom.

"The description of wood which is supplied by the British North American colonies, the yellow pine, is not chiefly to be regarded as competing with the wood of the Baltic, but rather as available for different though concurrent uses. For example, the increase of Baltic timber, tending to encourage the construction of new buildings by supplying the best materials for particular portions of them, has an effect not in limiting but in extending the demand for Canadian timber, as furnishing the cheapest and most convenient material for other portions, namely, the inward fittings of the very same fabrics.

Duty to Equalize Freights.

"Her Majesty's Government are not indeed prepared to assert that the question of the relation between the duty on foreign timber and the colonial wood trade ought to be adjusted with reference to this consideration alone, and you will perceive that they propose to retain a duty of 15s. per load upon foreign timber, which I apprehend may be considered as, upon the average, nearly covering the difference between freights from the Baltic and those from British North America to the United Kingdom. Not only are they free from the apprehension that the proposed remission of 10s. per load on foreign timber and 12s. on foreign deals, will cause a contraction of the trade from British North America; but they are sanguine in the anticipation that that trade will continue, notwithstanding the proposed change, to extend itself."

Trade with U. S.

Mr. Gladstone's forecast proved correct and the importation of timber from the British North American colonies continued to increase in volume after the last vestige of protection had disappeared, notwithstanding the advantage enjoyed by the Baltic shippers in proximity to the British market and consequent low freight rates. According to the Canadian trade and navigation returns, the exports of forest products of all descriptions to Great Britain for 1850 amounted in value to £971,375 Canadian currency. Four years later this figure was more than

doubled, and in 1857 it stood at £2,044,178. This steady augmentation of the timber shipments to the mother country was moreover proceeding simultaneously with the rapid development of the trade in forest products with the United States, stimulated by the settlement of the scantily timbered or treeless areas of the Western States. In the year preceding Confederation, that ending June 30th, 1867, the American demand stood as nearly as may be on a par with that of the British Islands, the value of forest produce shipped over the boundary line being $6,831,252, as compared with exports valued at $6,889,783 which found a market in Britain.

In order to present a clear and connected view of the rise and progress of the timber trade with Great Britain, it has been requisite to note the consecutive phases of British Legislation which contributed so largely to its growth, somewhat out of their chronological order in relation to Canadian development, to which it is now necessary to revert.

First Canadian Timber Laws.

The earliest enactment of a Canadian Legislature bearing on the timber trade was adopted in Lower Canada in 1805, with the object of preventing accidents in navigating the formidable rapids of the St. Lawrence, which owing to the increased quantities of lumber and timber forwarded to Montreal by this route had become frequent. As it formed the precedent for much subsequent legislation dealing with the same question it may be well to present it *in extenso*.

"An Act for the appointment of an Inspector and Measurers of Scows and Rafts, and for regulating the pilots and conductors thereof between Chateauguay and the City of Montreal. (25th March, 1805.)

"Whereas, many accidents and considerable loss of property have arisen in the rapids of the River St. Lawrence above the City of Montreal partly by the ignorance or negligence of persons undertaking to pilot and conduct scows, loaded with flour and other provisions, also, oak, timber, staves, and other lumber coming from Upper Canada, and firewood from different parts of this Province, above the said rapids, and it being necessary that the regulations be made to guard as much as possible against such accidents and losses, in future. Be it therefore enacted by the King's most Excellent Majesty, by and with the consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britian, entitled "An Act to repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's reign intituled: 'An Act for making more effectual provision for the Government of the Province of Quebec in North America,' and to make further provision for the Government of the said Province," and it is hereby enacted by the authority of the same, that it shall and may be lawful for the Governor, or Lieutenant-Governor, or person administering the Government for the time being, by an instrument under his hand and seal at arms to nominate and appoint one discreet and intelligent person resident in the Parish of Chateauguay, to be Inspector, and two others so residing to be Measurers of scows and rafts of timber and lumber, as also of fire wood, and from time to time the said Inspector and Measurers, or either of them to remove, and also in case of death and resignation, another, or others being resident in the said Parish of Chateauguay, to nominate and appoint in his or their place and stead.

First Timber Measurer.

2. And be it further enacted by the authority aforesaid, that it shall be the duty of the Inspector and Measurers to keep themselves informed of the state of the water in the rapids between Chateauguay and Montreal, and in consequence from time to time, as often as in their judgment need be to determine what depth of water scows and rafts respectively may draw, to pass through the said rapids in safety, of which depth the said Inspector shall at every such time make a record in a book to be kept by him for that purpose, and the applicant for the measurement of scows and rafts, shall have access thereto, without fee; and the said Inspector upon application to him shall proceed himself, or send one of the Measurers, to take the depth of water which each scow or raft then intended to be conveyed through the rapids draws, and shall brand such draught of water thereupon. Provided that, before any scow or raft shall be so branded, it shall be lightened (if exceed-

ing the same) to the draught of water so determined upon, as the measure of safety, and if the said Inspector and Measurer, or one of them, shall not in a reasonable time proceed to measure any scow or raft, as to the depth of water it draws when applied to for that purpose, or shall refuse or omit to brand the same, when drawing or lightened to draw a depth of water, not exceeding that upon record for the time, or shall brand a scow or raft which exceeds such depth upon record, the Inspector or Measurer so offending, shall forfeit and pay for every such offence, a sum not exceeding forty shillings current money of this Province.

3. And for the greater safety of property which may be committed to the care of Pilots undertaking for hire to conduct scows and rafts from Chateauguay to Montreal: be it further enacted that every person intending to act as a Pilot in any such case shall annually take out a license to authorize him to practice for hire the piloting and conducting of scows and rafts from Chateauguay to Montreal, aforesaid, which license the Justices of Peace for the District of Montreal, in their weekly sittings, or any special session to be held in the said city, are hereby authorized and required, on the recommendation of the Inspector, or any one of the Measurers (if no good reason be shown to the contrary) to grant to the person applying for the same on paying to the Clerk for such license, two shillings and sixpence currency, and no more: and the said Clerk is hereby required to keep a register of the names of the persons who shall be so licensed. Provided always that if any person applying for such a recommendation shall be refused the same, such person shall be allowed to adduce before such Justices, proof of his capacity to discharge the duties of a Pilot, upon which and after hearing the Inspector or a Measurer, in support of the reasons for such refusal, the said Justices shall grant or withhold a license as they shall see most conducive to the purposes of this Act.

Licensed Pilots.

4. And be it further enacted by the authority aforesaid, that if any Pilot having charge of any scow or raft, shall leave Chateauguay to proceed through the rapids to Montreal, before the same shall have been measured as to the depth of water which such scow or raft then draws, and branded as hereinbefore directed, every such Pilot shall for every such offence forfeit and pay a sum not exceeding forty shillings current money of this Province.

5. And be it further enacted by the authority aforesaid, that if any person not being a Licensed Pilot as aforesaid, shall, for hire or payment of any wages, undertake to conduct or pilot through the rapids from Chateauguay to Montreal, any scow, loaded in part or in whole, or any raft of oak timber or staves, or other lumber or firewood, every person so offending shall for every such offence, forfeit and pay a fine not exceeding forty shillings current money of this Province.

6. Provided, always, and be it further enacted by the authority aforesaid that nothing in this Act contained, shall extend, or be construed to extend, to prevent any person or persons from conducting and piloting from Chateauguay to Montreal any raft or rafts of firewood, which is or are his or their property, but this shall not exempt any such proprietor from first causing such raft or rafts of firewood to be measured and branded as by this Act is directed; and in default of being so measured and branded, every such proprietor shall forfeit and pay a sum not exceeding ten shillings current money of this Province.

Owner may Act as Pilot.

7. And it being necessary to fix the hire or wages of Pilots licensed as by this Act is directed. Be it further enacted by the authority aforesaid, that from the opening of the navigation until the first day of October, annually, there shall be paid to the licensed Pilots in lieu of all wages, provisions and ferriage for piloting from Chateauguay to Montreal the following hire or wages, that is to say: For every scow loaded in part or in whole, thirty shillings, currency. For every raft of staves, timber or other lumber consisting of two cribs, and not exceeding eighty feet in length, twelve shillings and six-pence, currency. For a single crib of staves, timber or other lumber, if the proprietor shall require it to be piloted singly, twelve shillings and sixpence, currency. For every raft of firewood, ten shillings, currency. And from

Pilots Fees.

and after the first day of October, inclusive, annually until the close of navigation there shall be allowed and paid over and above the before mentioned rates an addition of one-fifth part.

8. And, whereas, accidents may happen to scows and rafts in their passage from Chateauguay to Montreal. Be it further enacted by the authority aforesaid that it shall be the duty of the pilot having charge of any scow or raft, which shall meet with an accident, to give every assistance in his power, not only to clear the rapids from the impediments which such accident may occasion, but further to the best of his skill and abilities, to assist in endeavoring to save from loss, the loading of any such scow or raft so meeting with an accident, nor shall he depart or leave the same until discharged by the owner thereof or his agent, under the penalty of the loss of his wages; and, further, a fine not exceeding twenty shillings currency for every such offence. Provided always that over and above the allowance for pilotage to such Pilots as hereinbefore established, there shall be paid to him, for every day that he shall be detained in so clearing the rapids, or in assisting to save the property committed to his charge, the wages following, that is to say: from the opening of navigation until the first day of October, five shillings currency per day, and from the first day of October inclusive, until the close of the navigation, one-fifth more, and in both cases of such detention provisions whilst so employed.

In case of Accidents.

9. And be it further enacted by the authority aforesaid, that it shall be the duty of a Licensed Pilot upon being thereunto required by the Inspector, or either of the Measurers to take charge of any scow or raft, which shall have been gauged and branded, and if any such Pilot shall after such requisition refuse or neglect to take charge thereof, and shall a second time after a like requisition the same not being made the same day, and the Pilot so required not being then actually engaged to conduct any other scow or raft, nor being incapable from sickness to do his duty, still refuse or neglect to take charge of a scow or raft so guaged and branded, every such pilot so refusing and neglecting a second time shall, upon conviction thereof, forfeit and pay a sum not exceeding twenty shillings currency, and be deprived of his license for the remainder of that season; and if any Pilot so convicted shall nevertheless afterwards presume to pilot any scow or raft, during that season, he shall forfeit and pay a sum not exceeding forty shillings currency.

10. And be it further enacted by the authority aforesaid, that for the trouble of inspecting, measuring and branding of every scow, crib, or raft, as hereinbefore directed, there shall be paid into the hands of the Inspector the following rates and allowances, that is to say: For every scow loaden in part or in whole, six shillings currency. For every crib of staves, timber or other lumber, two shillings and sixpence currency. For every raft of firewood, one shilling and three pence currency. And for every crib or raft with wheat, flour or other provisions, or pot or pearl ashes thereon, two shillings and sixpence currency. And the monies so received by the Inspector shall be divided and paid as follows, that is to say: two-fifth parts to be retained for himself, and the other three fifths to the Measurers by equal portions.

Inspector's Fees.

11. And be it further enacted by the authority aforesaid, that all fines and penalties by this Act inflicted, unless otherwise provided for, be sued for within three calendar months after an offence committed, and not afterwards, before any one or more Justices of the Peace in the District, who is and are hereby authorized to hear and determine the same, and on conviction of the offender, by his or her confession, or by the oath of one or more credible witness or witnesses, being other than the prosecutor, the same shall be levied with costs of suit, by warrant of distress, under the hand and seal of such Justice or Justices of the Peace, of the goods and chattels of the person so convicted; and one-half of such fines and penalties shall be paid to the prosecutor, and the other half shall be paid into the hands of His Majesty's Receiver General of this Province, to be applied to the public uses thereof; and the same shall be accounted for to His Majesty, his Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury, in such manner and form as His Majesty, his heirs and successors shall direct.

Penalty for Non-Payment.

12. And be it further enacted by the authority aforesaid, that if any suit be brought against any person for anything done or executed, by virtue of and in pursuance of this Act, such suit shall be commenced within three months after the matter or thing done, and not afterwards; and the defendant or defendants may plead the general issue, and give this Act and the special matter in evidence, on any trial to be had thereon, and that the same was done in pursuance of and under the authority of this Act, and if judgment shall be given for the defendant or defendants, or the plaintiff or plaintiffs shall become non-suited, or shall discontinue his, her or their prosecution, after the defendant or defendants shall have appeared, then such defendant or defendants may and shall recover treble costs, and have the like remedy for the same as any defendant or defendants hath or have to recover costs in cases at law.

13. And be it further enacted, by the authority aforesaid, that this Act shall continue and be in force until the first of January, one thousand eight hundred and eight, and from thence to the end of the then next session of the Provincial Parliament and no longer."

In 1808 the Act, having been found beneficial in its effects, was made perpetual with some amendments. Scows were exempted from its operations and those in charge of such vessels allowed to make their own arrangements with licensed pilots in place of being subject to a fixed tariff of fees. Persons in charge of rafts or cribs of timber were authorized to employ such licensed pilots as they saw fit, the latter, in case of refusal or neglect of duty, being liable to the same penalties as though engaged by the Inspector or Measurer. The Inspector's duties were somewhat extended and he was required to make an annual return to the Commissioner of Inland Navigation of the number and as far as possible the contents of the scows, rafts and cribs passing during the season.

Timber Returns.

By another Act passed the same year entitled "An Act to provide a permanent Fund for the Improvement of the Inland Navigation of the River St. Lawrence," rates were levied upon all scows, rafts and cribs passing through the rapids between Chateauguay and Montreal, to be paid to the Inspector of scows and rafts at Chateauguay and applied to the improvement of inland navigation. The rates were as follows: Every scow, fifteen shillings; every crib containing lumber, 7 shillings and six-pence. A more important measure as affecting the timber industry, also adopted in 1808, was the "Act for the better Regulation of the Lumber Trade." "Whereas," it begins, "lumber is become an article of importance in the export trade of this Province, and it would tend to increase its growing reputation to the great advantage of trade, if the quality and measurement thereof were properly ascertained." It was provided that no lumber of the description specified in the act should be exported until it had been culled, measured and certified as to quality. The Governor was authorized to appoint persons at the ports of Quebec and Montreal as Master Cullers and measurers of board and plank, staves, timber, masts and spars respectively, as well as at other places in the Province if it should be thought desirable. The same person may be appointed Master Culler of more than one of the descriptions of lumber specified. The duty of these officials was personally or by deputy to ascertain the quality and dimensions of the article submitted to their inspection, to reject such as were in any respect defective according to the definitions laid down in the Act, and give a true and faithful account in writing of the number, quality and dimensions of the articles found to be merchantable, which was to be final and conclusive between buyer and seller. Those engaged in the lumber trade were authorized to retain in their exclusive service master cullers and measurers specially licensed, but in such case those delivering lumber to them had the right to object to the culler and insist upon inspection by a public official.

Improvement Tax.

Lumber Cullers.

The Act proceeded to define the standard which should determine the mercantile quality of lumber in the absence of any specific agreement between buyer and seller. Those relating to some of the more important staples were as follows:

"Square oak timber shall not be less than twenty feet in length and ten inches square for measurement, and shall be free from rot, rings, shakes and other defects, properly squared and butted. Square pine timber sha l

Timber Standards.

not be less than twenty feet in length, and not less than twelve inches square for measurement, and shall be free from rot, bad knots, shakes, and other defects, and properly squared and butted; Pine boards shall not be less than ten feet in length, and not less than eight inches in breadth, equally broad from end to end, edged by the saw or neatly trimmed by a straight line, free from rot, sap stains, bad knots, rents and shakes, and of an equal thickness on both sides from end to end. Pine plank shall not be less than ten feet long, nor less than six inches in breadth, equally broad from end to end, edged by the saw or neatly trimmed by a straight line, free from rot, sap stains, bad knots, rents, and shakes, and an equal thickness on both sides from end to end."

Timber Brands.

Provision was made for the stamping of all timber and lumber inspected and found up to the standard of merchantable articles, with the letter "M." Persons shipping timber of any description for exportation which had not previously been culled and measured were liable to a penalty not exceeding £100 and not less than £10, and Justices of the Peace were authorized to issue warrants for the seizure of such lumber on the information of any culler or measurer or any other person.

Seconds.

The Act appears to be somewhat loosely drawn, and to be encumbered with provisoes, which must greatly have interfered with its effectiveness. The first section comprises the following: "Provided also that nothing contained in this Act shall be construed to prevent the shipment of any article of lumber, notwithstanding such articles may not be of the dimensions hereinafter provided, if the same be of sound and good quality, and marked or certified as such, by one of the Inspectors, to be appointed by virtue of this Act. Provided further, that whereas pine timber, pine plank, pine boards of an inferior or second quality were heretofore imported from the countries bordering on the Baltic into Great Britain and Ireland, and continue to be saleable and usefulf or particular purposes; nothing in this Act contained, shall extend or be construed to extend or prohibit the exportation from this Province of any such pine timber, or pine boards of an inferior or second quality."

It is not at all clear whether the cullers or measurers were required to apply any standard whatever to this second quality lumber, excepting such as might be demanded by the contract between buyer and seller, by which they were in all cases to be governed when such existed. The standards for "merchantable" timber were only to be applied "in all cases where there is no specific agreement between the buyer and seller."

It may fairly be concluded, therefore, that all the Act did, or was intended to do, was to provide a safeguard for those purchasers who desired a superior grade, while practically placing little or no check upon the exportation of lumber of a poor quality provided that it were distinguishable as such.

The Act contains some further provisions as to the salvage of timber adrift in the rivers, and imposing penalties upon those appropriating such timber to their own use, or wilfully setting timber adrift, into the details of which it is unnecessary to enter.

Cullers not to Trade.

This Act, which was to remain in force for only two years, was re-enacted in 1811 with some changes. The section authorizing dealers to retain licensed cullers in their exclusive service was abrogated, and an amendment adopted prohibiting Master Cullers and Measurers from trading in timber under penalty of dismissal from office and a heavy fine. This Act, like the former, was to remain in effect only for two years. Continuing legislation was enacted from time to time until 1819, when the existing enactments were repealed and a new Act adopted, based upon the original law in most of its details, but somewhat more stringent and comprehensive in its provisions. All existing licenses to cullers and measurers were cancelled, and it was provided that no persons other than those who had previously held licenses should be commissioned to act in that capacity thereafter, without having passed an examination as to their qualifications before a Board to be appointed by the Governor. The standard for merchantable lumber was raised by a more detailed specification of the defects to be considered as disqualifications, and the list of descriptions of lumber subject to inspection was considerably amplified.

Cullers and measurers, as before, were to be governed by the contract between the buyer and seller as regards the dimensions and descriptions of the article submitted to their inspection, and the very elaborate and rigid definitions of what constituted "merchantable" timber were only applicable where no specific agreement between the parties existed. The measure in fact presents the same problem of confusing and contradictory provisions as characterized the first legislation on the subject. As in the Act of 1808, the section prohibiting the exportation of any lumber not culled, measured and certified to possess the requisite qualities of excellence specified, was modified by the proviso that nothing should be construed to prevent the exportation of timber, plank and boards "of any inferior or second quality," with the addition of the clause—"provided the quality thereof be declared in the cocket and manifest accompanying the same by the ships."

At the same time the provision for the seizure of lumber shipped for exportation without having been culled, stamped and marked, was included in the Act of 1819, and another section rendered it penal for the Master or Owner of a vessel to receive on board unstamped lumber. As there is no mention of any intermediate grading or provision for other branding than as "merchantable" or "rejected" the duties of the cullers, as regards inferior qualities of lumber, appear to have been left very badly defined, and the whole question as to the rights and liabilities of exporters in the matter in an extremely chaotic condition so far as the wording of the Act was concerned, though no doubt the custom of the trade furnished a working basis for the system despite these apparent incongruities.

Ineffectual Legislation.

The Act of 1819 was kept in force until 1823, when some amendments were made, and renewed again in 1825, expiring two years later. In 1829 a fresh enactment was made by the Legislature of Lower Canada, much along the lines of the previous laws, but more explicit in its terms, as the whole matter was placed beyond question upon a voluntary or permissive basis.

All the prohibitions as to the shipment of uninspected lumber were omitted, and it was distinctly provided that "nothing contained in this Act shall prevent or be construed to prevent, the shipping or the exportation of any lumber or timber of an inferior quality or size, or without inspection where or when the shipper or exporter shall think proper, to ship or export any such lumber or timber." After being renewed in 1832 it was permitted to expire by the lapse of the term for which it was revived in 1834.

There was no further legislation affecting the lumber trade by the Province of Lower Canada, but after the union of the Provinces in 1840 the Parliament of Canada undertook to deal with the subject. A measure was passed in 1842, by which the Mayor of Quebec was authorized to appoint a supervisor of Cullers, and the Board of Trade of the same city to appoint a Board of Examiners, by whom all cullers' licenses were to be granted. . . . The inspection of lumber for home consumption was left entirely optional. As regards exportation, the Act provided that no person, being the owner of mills at which deals were manufactured, should be required to cause such deals to be measured, if exported by such manufacturer on his own account, but with that exception, no lumber should be exported without being measured, under a penalty of one penny currency for each cubic foot, or one shilling for each separate piece of lumber so shipped. The Act was to remain in force until the year 1847, but in 1843 it was repealed as being insufficient to accomplish the object in view, and a more stringent measure enacted in its place. The appointment of the Supervisor of Cullers was taken out of the hands of the Mayor of Quebec and vested in the Governor, that of the Board of Examiners being entrusted to the Council of the Quebec Board of Trade. Cullers' licenses were to be issued by the Government on the presentation of a certificate of fitness from the Board of Examiners. Following the principle laid down in several previous acts, the culler was required to mark the dimensions of all square timber, and, if requested by the seller or buyer, to stamp every piece of lumber according to quality, the letter "M" indicating what was merchantable, "U" what was sound and of good quality, but under merchantable size, and "R" rejected and unmerchantable.

Supervisor of Cullers.

This measure was repealed in 1845 when the enactment which replaced it established for the first time the system of grading timber in accordance with its quality. Second and third quality standards were adopted both for timber and deals.

The standards for merchantable timber were set out with greater precision and fullness of detail than before.

It was provided that square timber should be measured in accordance with some one of the following modes :—

1. In the raft or otherwise, giving the full cubic contents without any allowance or deduction.

2. In shipping order, which should mean sound, fairly made timber, or,

3. Culled or measured in a merchantable state in accord with the standards prescribed.

The position of the export trade with respect to culling and measuring was thus defined :—"Nothing in this Act contained shall be held or construed to make it compulsory for any article of timber to be measured, culled or assorted, under the provisions of this Act, provided that such lumber be shipped for exportation by sea for account (in good faith) of the actual and bona fide producer or manufacturer thereof ; but all other lumber shipped for exportation by sea shall be either culled, measured or counted (at the option of parties) by a licensed culler, under the control and superintendence of the Supervisor, under a penalty equal to the market value of any article of lumber so illegally shipped." It was provided that the Act should not extend to any place below the eastern end of the Island of Orleans.

Upper Canada Customs Duties.

There was no similar legislation in Upper Canada, or any measure on the Statute Books of that Province directly bearing upon the lumber industry until 1819, when duties were imposed upon a number of specified articles imported from the United States. Forest products were not included in the list, but it was provided by a general clause that upon all unenumerated goods, the growth, produce or manufacture of the United States, an ad valorem duty of 5 per cent. should be levied. With certain specific exceptions, which included staves and headings. A further clause provided "that nothing in this Act contained shall extend or be construed to extend to prohibit the admission of flour, oak, pine, and fir timber into this Province free of duty, for exportation only." At this time a good deal of lumber was imported into the Provinces from the United States, and re shipped from Quebec to the British market, so as to obtain the advantage of the preferential tariff in favor of the Colonies. The extent of this trade attracted the attention of the British Authorities who evidently had no intention that the privileges granted to the Canadian exporter should cover the timber supplies brought into Canada from the United States. In 1820 an official enquiry was instituted. An official statement, made as a return to an address of the House of Commons, showed that the timber imported into Lower Canada from Lake Champlain via the Port of St. John's, from the year 1800 to 1820, included 10,997,580 feet of red and white pine timber, 3,935,443 feet of oak timber, 34,573 853 feet of pine plank, and 9,213,827 feet of pine boards. The result was that in 1822 an Imperial Act was passed to regulate the trade of the Provinces of Upper and Lower Canada, by which duties were imposed upon lumber and timber imported from the United States, as follows :—

Imperial Duties.

	Sterling.
Every 1,000 shingles not more than 12 inches in length	£0 7 0
Every 1,000 shingles more than 12 inches in length	0 14 0
Every 1,000 red oak staves	1 1 0
Every 1,000 white oak staves or headings	0 15 0
Every 1,000 feet white or yellow pine lumber of one inch thick	1 1 0
Every 1,000 feet of pitch pine lumber	1 1 0
Other kinds of wood and lumber per 1,000 feet	1 8 0
Every 1,000 wood hoops	0 5 3

By a subsequent Act three years later this tariff was continued with some important changes.

The policy of the Imperial Government with regard to the maintenance of permanent timber reserves, which was laid down in the instructions given to the earlier Governors of Quebec, from which extracts have been given, was steadily kept in view after the separation of the Provinces. The elaborate instructions received by the Duke of Richmond, Governor-in-Chief of the Province of Upper Canada, dated May 9th, 1818, comprise the following directions as to the system to pursue in surveying and granting land, with the object of retaining in the hands of the Crown the more valuable timber producing tracts.

35. "Whereas the reserving of such bodies of land within Our Province of Upper Canada, where there are considerable growths of timber fit for the use of Our Royal Navy is a matter of the utmost importance to Our Service; it is Our Will and pleasure that no grant whatever be made in lands in any district or tract of Our said Province of Upper Canada until our Surveyor General or his Deputy, lawfully appointed, shall have surveyed the same and marked out as reservations to Us, Our heirs and successors, such parts thereof as shall be found to contain any considerable growth of masting or other timber fit for the use of our Royal Navy, and more especially on the rivers; and you are hereby instructed to direct Our Surveyor General of Lands in Our said Province, from time to time with all due diligence to complete the surveys and mark out the reservations as aforesaid, in the most convenient parts of Our said Province; and you are from time to time to report the manner, extent and situation of such reservations; and you are further directed to direct Our Surveyor General not to certify any plots of ground ordered and surveyed for any person or persons in order that grants may be made out for the same, until it shall appear to him by certificate under the hand of Our Surveyor General of Woods, or his deputy, that the land so to be granted is not part of nor included in, any district marked out as a reservation for Us, Our heirs, and successors, as aforesaid for the purpose hereinbefore mentioned; and in order to prevent any deceit or fraud being committed by the persons applying for land in this respect, it is Our will and pleasure that in all grants to be hereafter made for lands within Our said Province of Upper Canada, the following proviso and exceptions be inserted—that is to say—"And provided also that no part of the parcel or tract of land hereby granted to the said and his heirs, be within any reservation heretofore made and marked out for Us, Our heirs and successors by Our Surveyor General of Woods, or his lawful deputy, in which case this Our grant for such part of land hereby given and granted to the said and his heirs forever as aforesaid, and which shall, upon a survey thereof being made, be found within any such reservation, shall be null and void and of none effect, anything herein contained to the contrary notwithstanding."

Reserves.

Pine Lands not to be Sold.

PROVINCIAL REVENUE FROM FORESTS.

The earliest step towards making the forest resources of the Province a source of revenue and so securing to the public a share of the wealth drawn from the public domain was taken in 1826. Previous to this date, as has already been mentioned, the only persons authorized to cut timber on the public lands were the contractors for the Royal Navy, or those holding licenses from them. It is hardly surprising that this monopoly, from which the people derived no benefit, was continually infringed upon by unlicensed lumbermen, who pursued a very active and profitable illicit trade, despite all attempts of the officials to suppress it. The manifest unfairness of the system, both to the general public and to the persons desiring to engage in lumbering, but debarred from doing so in a legitimate manner, led to the termination of the contractors' monopoly, and the inauguration of a system under which any one was at liberty to cut timber on the

ungranted lands of the Ottawa lumber region, on payment of a fixed scale of rates to the Crown. The following Proclamation, issued by Sir Peregrine Maitland, Lieutenant-Governor of Upper Canada, announced this important change :—

UPPER CANADA.

P. Maitland,

Lieutenant Governor.

George the Fourth by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To all to whom these presents shall come Greeting:

Whereas for the more effectually preventing the recurrence of such abuses as have heretofore prevailed in the prosecution of the trade in timber in the parts of this Province, bordering on the River Ottawa, and to the end that the public interest may be more certainly advanced, the commerce in that important article of exportation the better regulated, and more equal justice observed with regard to all our subjects desirous of participating in the said trade ;

We have thought fit to order and direct that, until our pleasure herein be further made known it shall and may be lawful for all our subjects inhabiting our Provinces of Upper and Lower Canada, freely to enter into our woods and forests in such parts of our said Province of Upper Canada, situated along the banks of the River Ottawa, or upon the banks of the waters running into the said river, and a convenient distance from the same, as shall not have been surveyed and divided into concessions and lots, and to cut and carry away such oak and pine timber as may be fit for the purpose of exportation.

Provided always nevertheless, that in the consideration of the authority and permission hereby given, the several rates and duties hereinafter specified, shall be paid to Us, our Heirs and Successors, (that is to say) upon every thousand feet of oak timber, the sum of six pounds and five shillings, being at the rate of one penny, half penny per foot. Upon every thousand feet of red pine timber, four pounds three shillings and four pence, being at the rate of one penny per foot. Upon every thousand feet of yellow pine timber two pounds one shilling and eight pence being at the rate of one half penny per foot. Upon saw logs of the proper length to be cut into deals, two pence upon each log. And upon every thousand of standard staves, four pounds one shilling and eight pence, which duties are to be paid in lawful money of our said Province of Upper Canada, and to be levied and received by such persons as We shall for that purpose appoint by Commission under the Great Seal of Our said Province ; and at such place or places on the said River Ottawa as we shall declare through our officer to be appointed as aforesaid to be most fitting and convenient.

Timber Dues.

Provided always, that for the better preventing the said timber being cut before it has attained a suitable growth, double the amount of duty herein specified shall be charged upon all such timber as shall not square more than eight inches. And it is further our Will and Pleasure that all such timber or wood which shall have been cut as aforesaid upon our unconceded lands in Upper Canada, upon which the duties shall not be paid, when exacted by Our Officer so to be appointed as aforesaid, shall be seized and detained to Our use as forfeited.

Diameter limit.

Provided always, nevertheless, that all persons properly authorized by or under Our license granted in manner heretofore used to cut timber in Our said Province, shall be permitted to carry away and export the same, to such extent as their licenses may specify, without the exaction of any rate hereby imposed, and that all such timber as may have been heretofore cut upon Our unconceded lands as aforesaid, without Our express license, may upon payment of the duties hereby specified, be suffered to pass through Our said Province of Upper Canada.

Old Licenses Exempt.

In testimony whereof, We have caused these Our letters to be made patent, and the Great Seal of Our said Province to be herein affixed. Witness Our trusty and well beloved Sir Peregrine Maitland, K.C.B., Lieutenant-Governor of Our said Province, and

Major General commanding Our forces therein at York, this third day of May in the year of Our Lord one thousand eight hundred and twenty-six, and in the seventh year of Our Reign.

P. M.

By His Excellency's Command,
J. B. Robinson, Attorney General,
D. Cameron, Secretary.

The following year Peter Robinson was appointed by the Royal Commission Surveyor General of Woods and Forests in the Province of Upper Canada, and received detailed instructions from the Commissioners of the Treasury as to the course to be pursued in dealing with the timber on the Crown Lands.

He was directed to make a survey of the woods and forests of the Province in order to ascertain in what districts there might be any considerable growth of masting or other timber fit for use of the navy; and also in what districts there might be any considerable quantity of other descriptions of timber. Evidently the Commissioners of His Majesty's Treasury, in cutting out Mr. Robinson's work on this extensive scale, had but a hazy idea of the Canada of 1827. After further instructing the Surveyor General to issue certificates whenever required by the Governor General or Commissioner of Crown Lands stating whether any lot or lots proposed to be sold contained any considerable timber fit either for naval or other purposes, the following directions as to the granting of timber licenses were given.

"And, whereas, much of the timber standing and growing on the waste and ungranted lands within the said Province may not be fit and proper for the use of His Majesty's Navy, and it may be expedient that permission should be granted to His Majesty's subjects to fell the same: We do therefore require and enjoin you that you do in the month of May, in each year, make a report to the Governor or Officer administering the Government, stating the districts in which it may appear to you advisable that Licenses should be granted to such of His Majesty's subjects as may be desirous of cutting timber not fit for His Majesty's Navy, specifying the quantities which, in your judgment, may be fit to cut in each district, and the quantities for which you would recommend that licenses should be granted in the then ensuing season."

Provincial Timber Licenses.

Upon the Governor signifying his approval of the granting of licenses in the districts indicated by the Surveyor General the licenses were to be disposed of by public auction after due notice by advertisement in the York Gazette and some other newspaper circulating in the Province. Each license was to be for a quantity not exceeding 2,000 feet with upset prices as follows:

	£	s.	d.
Oak, per 1,000 feet	£4	3	4
Ash, elm, beech, per 1,000 feet	2	10	0
Red pine, per 1,000 feet	3	0	0
White pine do	1	10	0
Staves, per standard 1,000	1	0	0
Handspikes, do	1	0	0
West Indian staves and other timber, per 1,000 feet	1	0	0

The conditions of these licenses were such that the timber should be cut within nine months, otherwise the license to be void. Purchasers were required to pay for the timber cut within fifteen months from the date of license and one or more measurers of timber were to be appointed in each district to certify as to the quantity of timber cut. The Surveyor General was authorized to incur contingent expenses on the following modest scale:—

Time Limit.

	£	s.	d.	
"Wages to measurers, net		12	6	per day.
Rent of an office	25	0	0	per annum.
For fuel	10	0	0	"
Messenger	25	0	0	"

Pay of clerks, assistants, etc., as may be necessary and as the Governor or officer administering the Government, may deem reasonable, provided that the whole of such expenses do not in any year exceed one-sixth part of the net amount which may in such year be paid to the Receiver General of the Province in respect of such licenses."

Cost of Collecting Revenue.

Mr. Robinson, simultaneously with his appointment as Surveyor General of Woods and Forests, on the 19th July, 1827, was also appointed Commissioner of Crown Lands. The system so elaboratelely framed by the British Treasury Commissioners for his guidance was never carried out or even attempted to be put into effect.

On arriving in Canada, Mr. Robinson found Mr. Robert Shireff acting as Collector of Timber Dues on the Ottawa River. Mr. Shireff was a pioneer of the Ottawa lumber trade and was originally appointed Collector of Crown dues on timber by Lord Dalhousie, in Lower Canada, and afterwards, on his Lordship's recommendation, received the appointment for the Upper Province. His son, Charles Shireff, acted conjointly with him without receiving any formal appointment. Mr. Robinson fell in with the system adopted by the Shireffs, who no doubt, as practical lumbermen, adopted a plan more workable in its details than the method outlined by the Treasury Commissioners.

Imperial Instructions Ignored.

The Surveyor General, as Mr. Robert Shireff stated, "found my son and myself acting under an arrangement made directly by the Government and he did not feel called upon to interfere with it further than to give each of us as his agents, authority to seize any timber that might be found cut without license, and giving us also from time to time such instructions as appeared to be necessary."

First Receipts.

The first receipts by the Government of Upper Canada from timber licenses were in 1827, when the sum of $360 was realized from this source. In 1828 the proceeds of timber licenses was $3,134 and in 1829, $2,237.

Hon. Robert Baldwin Sullivan, in a statement as to the management of the office of the Surveyor General of Woods and Forests, made in 1840 in connection with the investigation into the business of the public departments undertaken at that time, says, respecting the system of licenses and collection of dues as managed by the Messrs. Shireff:—

"In the summer or autumn of one year the persons wishing to engage in lumbering applied for a license to cut timber, stating the quantity proposed to be cut, upon which a license issued in the form hereto annexed, marked 'B,' the lumberers paid to the Collector 25 per cent. as an advance upon the Crown dues, and entered into a bond, a printed copy of which will be found in the appendix 'C.'

"In the ensuing summer the timber (having been cut and got out in the winter) arrived in the Chaudiere Falls at Bytown, where it was measured and an account taken of the contents of the several rafts, which then proceeded to Quebec.

License for Quantity.

"The parties cutting the timber were not required strictly to confine themselves to the quantity specified in the license, and therefore as it was plainly their interest to advance as little money as possible on taking the license out, the quantity cut greatly exceeded that for which the licenses were given.

"This was productive of no actual loss to the Government as the whole of the timber was paid for at Quebec.

"When the timber arrived at Quebec, Mr. Charles Shireff was in the habit of proceeding thither to collect the Crown dues, and upon his own authority, introduced a system of taking mercantile bills in lieu of the bonds originally given.

"The purchasers of the timber being generally wealthy merchants, the personal security for the payment of the duties was increased rather than diminished by substitution of the security of the Lower Canada merchants for that of the lumbermen, and although strictly speaking money ought to have been insisted upon, I am not aware of any very material loss which has occurred from the system of taking bills, at the same

time it must have been a great convenience to the merchants not to be called upon for money until they had an opportunity of shipping the timber and drawing on London against the proceeds."

Lax Methods.

The outcome of the system was unfortunate and entailed a considerable loss to the Province. The Shireffs, being left to manage the collection of dues practically in their own way without any regular or efficient Government supervision, in the year 1831, appointed Jones, Murray & Co, Quebec, a branch of the Montreal house of Horatio Gates & Co., reputed to be the most wealthy merchants in Canada, as their agents to make collections. By the failure of these firms after they had been some years acting in this capacity, and other irregularities arising from the business complications in which the Shireffs were involved, a shortage of several thousand pounds in the returns of money collected for timber dues was occasioned.

The laxity of administration which rendered such a condition of affairs possible in the management of the Woods and Forests Department was typical of the entire executive system of the period. The abuses of the Government were specially noticeable in connection with the disposal of the Crown domain.

Public Lands Administration.

In defiance of both the letter and the spirit of the official instructions repeatedly issued by the Home Government and of all sound principles of national economy, a system of reckless and profuse alienation of the public resources had come into vogue, which seriously retarded the settlement and development of the country, discouraged productive enterprise, and by the impoverishment and discontent which resulted, contributed much to swell the volume of popular disaffection towards the local governing class, which culminated in the Rebellion of 1837. The exhaustive investigation made by Lord Durham into the causes which led to that ill-fated outbreak, fully exposed the extent of the misgovernment and corruption which had prevailed for many years, and the prodigal manner in which the natural resources of both Provinces had been wasted by the officials entrusted with their management. The abuses obtaining in connection with the disposal of public lands have so intimate a relation to the question of lumbering regulations and the general conditions of the lumber industry during the ante-Rebellion era, that many of the facts detailed in the evidence appended to Lord Durham's celebrated report, as well as some of the conclusions embodied in that epoch-making document, are directly pertinent to the matter in hand.

Hon. Charles Buller, Commissioner of Crown Lands for Lower Canada, who was commissioned by Lord Durham to investigate the manner in which Crown Lands had been disposed of, thus speaks of the systematic disregard of the instructions issued by the British Government officials.

"It is true that while in name the property of the Crown was under the control of an English Minister, these lands have been in effect administered by colonial authorities for purely colonial purposes. It was indeed impossible that it should be otherwise. The execution of the instructions from time to time issued by successive Secretaries of State, or Lords of the Treasury, has been of necessity entrusted to those who in the colonies were the peculiar representatives of the English Crown; the Governor acting with the advice of his Executive Council. But the power nominally given to the Governor vested in effect entirely in his Council; and the members of that Council being resident in the colony, having interests of their own to promote, or friends whom they desired to benefit, or it may be enemies whom they were willing to injure, have uniformly exercised their power for local or personal objects, unchecked by a control which in this respect could only be nominal."

Land Grants.

The main abuse from which the country suffered during the period of mal-administration was the granting of wild lands in large tracts, under one pretext or another, to individuals or companies, who had no intention of settling on or improving them, but simply held them for the rise in value which they anticipated as the result of opening up the country.

The system of granting wild lands was so frequently altered, and the conditions as to settlement or payment of fees so various owing to the different classes of claimants, that it would be a profitless undertaking to attempt to follow the numerous changes in the regulations in Upper Canada and Lower Canada, more especially as varying methods were often in operation at the same time. But under whatever regulations were in force, and despite occasional attempts to restrict the tendency to the lavish granting of large areas without guarantees for their improvement, the practice was continued under one pretext or another.

When the country fell into the hands of the British, extensive grants were made, some in free and common soccage, according to the English land tenure and others in fief and seigniory in the same manner as those made by the French prior to the conquest. The influx of U. E. Loyalists at the close of the American war of Independence was followed by an increased number of land grants principally in the part of the Province which subsequently became Upper Canada. After the separation of the Provinces in 1791, fresh instructions were issued by the Home Government, the chief object of which was to provide against the evils resulting from excessive grants to individuals, which established 200 acres as the limit of a grant. Certain duties of settlement were attached to every grant, in default of which the land granted was to revert to the Crown. The Governor, however, possessed the power to make an exceptional addition to the grant, and this power appears to have been so freely and frequently exercised as practically to nullify the restriction as to the area to be granted.

In Lower Canada a method by which the law was ingeniously evaded and influential persons enabled to secure the title to very extensive areas speedily came into operation.

Leaders and Associates

It was known as the system of leaders and associates. The individual who was to reap the benefit of the transaction undertook the settlement of a township or smaller area. As leader he secured the signature of a number of other applicants for land, termed associates, who were supposed to be desirous of settling in a body upon the land. Each name represented 1,200 acres of land and when a sufficient number of names had been obtained, the requisite official formalities were complied with and the patents issued. The associates then for a trifling money consideration conveyed their lots to the leader. The latter usually took care to assure this by having each associate sign an agreement, simultaneously with the petition for a grant, binding himself to convey to the leader from 1,000 to 1,100 acres in consideration of the trouble and expense of procuring the survey and grant. The remaining 100 to 200 acres was afterwards conveyed by the associates for one or two guineas as the case might be, which was the real consideration for the use of their names. The system was so open and generally recognized that blank forms of such agreements were printed and publicly sold by the Quebec law stationers.

Mr. Buller states that during the administration of one Governor, Sir R. S. Milne, and under the same six members of the Executive Council who constituted the Land Board, 1,425,000 acres were granted to about 60 individuals.

Lavish Grants.

"The profusion of this land granting Board was rewarded by the Duke of Portland by grants of nearly 120,000 acres of land, rather less than 48,000 being granted to the Governor, and rather less than 12,000 acres to each of the Executive Councillors of which it was composed."

Several of the Executive Councillors themselves figure in the list of "leaders" of townships.

The system was introduced into Upper Canada, but never fairly established. Some ten townships were granted in this manner, but the rush of applications was so great that the Council was induced, not only to abandon the system, but to rescind the grants made, giving each leader who attempted to fulfil the conditions of the grant 1,200 acres. Mr. William Berczy, to whom the township of Markham had been assigned, and who had acted in good faith in actually settling a body of immigrants on the land, was ruined by the action of the Council in rescinding the arrangement.

Grants of 1,200 acres each were made to individuals of favored classes, including magistrates, barristers, and executive and legislative councillors who received as much as 5,000 acres each, with additional grants of 1,200 each to their children. From 1791 to 1804 these grants were altogether gratuitous, with the exception of fees sufficient to compensate the officials concerned in passing the grant for their trouble.

In the course of the latter year a scale of fees, proportioned to the extent of the grant, was introduced by the order of the Governor-in Council, upon the payment of which almost anyone was at liberty to obtain a grant. Privileged persons, such as U. E. Loyalists, militiamen, etc., were exempt from any payment. In 1818, in addition to fees, the performance of settlement duties was required. Changes in the system were made from time to time, generally in accordance with regulations or instructions issued by the Home Government, with the object of checking the prevailing laxity, and securing some substantial return for the lands granted.

When Hon. Peter Robinson was appointed Commissioner of Crown Lands in Upper Canada in 1827, he was instructed by the Lords of the Treasury that all public lands were to be sold by auction, and to be paid for by instalments without interest.

This system was slightly modified in 1833 by requiring the payment of interest on unpaid portions of the purchase money. The ill-success of the Government land policy as a means of promoting settlement induced them in two conspicuous instances to delegate to others the disposal of large areas of the Crown Domain. An extensive tract in the western portion of the Province was placed under the entire control of Colonel Talbot, and the whole of the Crown reserves, and 1,100,000 acres in one block were sold to the Canada Company.

The Canada Company.

The evils resulting from allowing vast areas to fall into the hands of speculators who made no improvement was further aggravated by the policy of setting apart Crown and clergy reserves, the latter constituting nominally one-seventh of the entire area, but frequently in practice amounting to a much larger proportion. The result was to discourage the settler from making a home in the wilderness on account of the large tracts held for speculation, and where the improvements dependent upon co-operative labor could not be undertaken. The Government policy, while it entailed unnecessary hardships and inconveniences upon the settlers, did not in the end benefit the favored classes who were permitted to monopolize extensive areas of land with an eye to ultimate profit. The conditions of occupancy had been made so onerous that there was no sale for the property they had regarded as an easily-acquired source of wealth. On this point, Mr. Buller says:—

Clergy Reserves.

"Even during the period, however, within which these grants were made, the grantees began to discover that the very great facility with which land could be acquired rendered its possession well nigh valueless. To settle their grants was impossible without a large immediate outlay, for the purposes of affording settlers the means of communicating with each other and with a market. This work, however, could be undertaken by no one individual with effect, unless the other grantees, across whose lands the road must pass, joined in the work, and even had this been done the practice of making Crown and clergy reserves, and thus withholding from settlement two-sevenths of every township, imposed upon the proprietor of the remaining land so much additional expense for which he could never expect any return. The grants, too, were so utterly disproportioned to the population and wealth of the Province, that even if all the grantees had set to work in good faith to settle their lands according to the terms of the grant, they must have been stopped by their inability to obtain settlers."

This was written more especially with reference to the land practically locked up from settlement in Lower Canada by the operation of the system of leaders and associates, but it was equally true of the results obtained in Upper Canada by the practice of profuse and indiscriminate land granting. Concerning the extent to which the land of the latter province had been parted with by the Government in excess of the demands for settlement, the same writer says:—

"Perhaps, however, the most striking proof of the early improvidence of the Government in its disposal of the waste lands in the Province, is to be found in the fact, that

from 1763 to 1825, during which period the population had slowly grown up to 150,000 souls, the quantity granted or engaged to be granted by the Crown was upwards of 13,000,000 acres, while during the thirteen subsequent years, in which the population increased from 150,000 to 400,000, the quantity disposed of, including the sale of the Clergy Reserves, is under 600,000 acres. A fact such as this needs no comment."

Timbered Land Grants.

The bearing of this condition of affairs upon the lumber trade, and the management of the forests remaining in the hands of the Crown as a source of revenue, can be very easily appreciated. The land alienated in such extensive areas, far beyond any possible demand for settlement for many years, was in many instances covered with valuable timber. Those engaged in lumbering operations speedily discovered that in many cases it was a good deal more profitable to buy wooded land than to pay even the moderate price charged for timber licenses.

The quantity of cheap unimproved land in the market and the readiness with which grants were obtained, seriously diminished the revenue from licenses, induced reckless and improvident methods of lumbering, and made it profitable to buy land for the sake of stripping it of the growing timber and leaving it waste and unproductive. The principle embodied in repeatedly issued instructions from the Home Government of setting aside permanent forest reserves and confining grants for settlement to such lands as were adopted for agriculture, having been disregarded, much of the area covered by the extensive grants made was capable of producing nothing but timber to advantage and once denuded became practically valueless, until the slow processes of nature should have renewed the forest vegetation.

A few extracts from the evidence taken before the Assistant Commissioners of Crown Lands and Immigration in 1838 which furnished the basis for the Hon. Charles Buller's report, indicates how injuriously the abuse of the land granting system affected the public interests, both in reference to the revenue from timber licenses and the preservation of the forests. They also comprise much valuable information as to the general condition and prospects of the lumber trade at that period. The evidence is given in the form of question and answer, the following being taken from the testimony of John Davidson, one of the Commissioners of Crown Lands for Lower Canada, in relation to matters in that Province.

Land cheaper than Timber.

Q. "According to the price required for timber licenses under the Treasury instructions may it not be cheaper to purchase land for the sake of the timber merely, than to pay for a license?" Ans. "It may be so, and an instance came to my knowledge of an attempt of the kind in the newly surveyed township of Wakefield, which I however defeated by directing the agent not to accept bids, unless from persons whom he believed to be intending settlers."

Q. "Have you then the power of rejecting an offer made to purchase land made at a public auction?"

A. "Under the conditions of sale publicly read by the agent no sale is valid until confirmed by the Commissioner of Crown Lands."

Q. "Do you imagine any land has been purchased with this intention?"

A. "I could not say that no land has been purchased with this view, but no sales have been made in surveyed townships. I cannot bring myself to believe that they have been made to any great extent."

Q. "Have you not reason to suppose that the large purchase of 90,000 acres to which you have referred in Gaspe, was made with this view?"

A. "It was avowedly so, I was myself informed so by the purchasers."

Q. "What was the price at which this land was sold?"

A. "Varying from 1s. 8d. to 4s. per acre."

James Hastings Kerr, a land agent, gave very explicit evidence as to prevalence of the practice of buying land solely for lumbering purposes. Some of the more striking portions of his testimony are here reproduced.

Q "Have you had an opportunity of acquiring information as to the disposal of timber in the Province (Lower Canada) by the Crown?"

A. "I have."

Q. "Does the system appear to you to be a good one?"

A. "It does not. It does not yield that revenue to the Crown which it ought in fairness to do, and which I believe might without injury to the dealer in timber be easily derived from it. The practice within these three years has been for the Crown to dispose of licenses to cut timber at public sale by tender and overbid. The upset prices on timber are determined by the Governor, upon the recommendation of the Commissioner of Crown Lands, and were until last year as follows:—White pine square timber, ½d. per foot; red pine, 1d. per foot; white pine logs of 12 ft., for deals, 4d. each; spruce pine logs of 12 ft., for deals, 2d. each; red pine logs, 7½d. each. At the sales of last year the price of white pine logs was increased to 5d and spruce to 2½d. This price is even now much less than the Government might fairly ask not only in proportion to the selling price of that timber in England, but also to its value in the Northern Continent of America. At a very early period it is certain that there must be a great demand in the United States for Canadian pine and spruce timber."

A bad System.

Q. "But the prices you have named are only the upset prices for the tender?"

A. "I know of no case where an overbid was made upon the tender, except in one instance, and that was only by mistake."

No Competition for Timber Limits.

Q. "Then in point of fact there is no competition at the sale?"

A. "None. There is a perfect understanding among the buyers that none of them shall bid more than the upset price."

Q. "So that in reality the prices called upset prices are fixed prices?"

A. "They are."

Q. "And are in your opinion too low, having reference to the value of the timber in the markets of Canada, Britain and the United States?"

A. "Decidedly so."

Q. "You believe that there will occur soon in the United States a great demand for Canada timber; upon what grounds do you form that opinion?"

A. "I visited the United States in 1836 for the express purpose of ascertaining at the ports of New York and Boston, what encouragement there might be for the importation of manufactured Canada timber, and also with a view to ascertain what supply of pine and spruce timber might yet remain in the United States. With the exception of the State of Maine to the North upon our own border, and of Georgia to the South, at a great distance from us, which latter produces an article of very inferior quality, I became satisfied from very careful inquiry that very little timber of that sort remains in the States generally, and that even with the two exceptions I have named, the supply will be exhausted in a few years, provided that the demand continues to increase as it has done for many years past, along with the progressive prosperity of the Americans."

U. S. Timber Supplies.

Q. "Is the quantity of the best kind of pine, spruce, and oak timber, the property of the Crown of this Province, very considerable?"

A. "I believe it to be so, particularly in the country bordering on the Ottawa, the northern shore of the St. Lawrence, a great distance on the shore of the Saguenay and its tributaries, on the north shore below Quebec, and in the district of Gaspe; sufficient in fact to supply the demand of the United States for many years to come, and if not sold under prices such as might easily be obtained, if better communication was opened with the United States, as to produce a very large revenue."

Q. "Even at the present low rate of timber licenses, is it not often more advantageous to purchase the land where the timber is growing, than to purchase a license to cut the timber upon it?"

A. "It is so decidedly upon well-timbered tracts. I have been employed myself to purchase land with this view. It may be conceived that this is the case when in the districts where land is purchased with this object, the price of a license would amount on the average to about 6s. 8d. per acre, and the average price of land is only about 3s. 2d. per acre. You therefore get your timber at less than half price, and have the land remaining when the timber is cut. For example, last year a saw-mill proprietor had cut timber upon a 200 acre lot in which I was interested, in one of the townships south of St. Lawrence. I seized the timber which he had cut, and entered into an agreement with him, by which I received fully 10s an acre for the trespass upon the timber, allowing him to take all he had actually felled."

License vs. Purchase.

Q. "What is the upset price of Crown Land in that township?

A. "Four shillings. I bought for myself and others all the Clergy Reserves then open for sale in that township in 1836, amounting to about 1,800 acres, at an upset price of 4s. an acre."

Q. "If such be the case, however, any such rise as you appear to contemplate in the price of timber licenses, ought to be accompanied by a corresponding rise in the price of the wild land of the Crown?"

A. "Undoubtedly so."

These utterances, like those which follow, are alike interesting from the historical point of view and significant in their bearing upon the existing situation, as showing how even at that comparatively early date, the American demand for the product of Canadian forests had become a prominent factor in determining the value of our natural resources. When the near exhaustion of the American timber supply is spoken of, it must be borne in mind that the march of Western settlement and the development of methods of transportation had not proceeded far enough to render the pine forests of Michigan and the other wooded areas of the American Northwest available as a source of supply. It is none the less instructive to note, that far-seeing and experienced practical men were beginning to realize that the necessarily increasing timber and lumber requirements of the Eastern States, with their rapidly growing population, should be taken into account in fixing the price of timber-bearing lands so as to secure the increment to the public.

Thomas Allen Stayner, Deputy Postmaster-General for British North America and a large landed proprietor in both Provinces, replied as follows to the question as to what value should be placed on the wild lands of Lower Canada:—

"Besides the price of lands in the United States I must, in answering this question, have regard to the large quantities of land in the Province held in private hands, much of which is choice land, and in locations most favorable for settlement. There are, perhaps, a million and a half acres of wild land in the possession of individuals, many of whom would be willing to sell at what would be called a low rate for cash, say from 4s. to 7s. 6d. currency an acre. While so much land is wild in this way, it will naturally influence any arrangement for the disposal of the waste lands of the Crown.

"Wild lands vary in value very materially as well as from the quality itself, as from its situation; but there is also another circumstance connected with the question of fixing the value upon waste lands of the Government, which it may be well to bear in mind, that is the timber upon it.

"Until very recently, the timber as an article of commerce was not taken into consideration, either by Government or private holders, but it is now otherwise. Our American neighbors have discovered, to their astonishment, that their own resources for pine timber are nearly exhausted, and they are looking with great interest to the lands in Lower Canada and New Brunswick, which possess that valuable article. In the year 1835 speculators from the States of Maine

American Investors.

and New York came into the Province and purchased about a million acres of land said to be wooded with pine or spruce; and there is no doubt but for the financial difficulties which befel the whole of the United States at the close of the year 1835 and commencement of 1836, much more extensive acquisitions of pine and spruce lands would have been made by the Americans; the disposition to acquire those lands is only temporarily suspended, and it is quite probable that in four or five years more the passion will return as strongly as ever.

"Now, according to the scale by which the Americans estimate such lands, they may be considered as worth from two to six dollars an acre, merely for the timber. The question may therefore be, whether this consideration is to constitute an element in the scheme to be devised, and if so to what extent? It should be borne in mind also, that the land most valuable for the timber is seldom of great value for agricultural purposes. Setting aside for the moment the pine and spruce lands, I do not think that a higher rate than 7s. 6d. currency an acre can be put upon the waste lands of the Crown.

The evidence of Charles Shireff, the former agent for the collection of the timber dues on the Ottawa, corroborated the testimony above cited as to the prevalence of the practice of buying timbered lands instead of taking out licenses, and the resultant loss to the revenue.

Q "Does not the present facility of obtaining large blocks of land, and at low prices tend to diminish the amount of this revenue by making it more advantageous to individuals to purchase land for the sake of the timber only, than to pay for licenses?

A. "I should say so. Cases have occurred in which land has been bought merely for the timber, upon a calculation, of course, that by this means the timber would be obtainable at a cheaper rate than if it had been cut under license. I can mention that of a company of Americans, who purchased from private individuals some thousands of acres in the township of Onslow, at the rate of, I think, 10s. per acre, which I do not conceive could bear any proportion to the value of the timber. Many similar cases, though to a smaller amount, have occurred within my knowledge; and the temptation to do this was very great, because when the purchaser had paid the first instalment and obtained his location ticket, he could proceed to cut the timber, and the only penalty for not paying the other instalments was the resumption of the land, about which he was very indifferent. This was unfair to those who cut timber under the licenses."

Present License System Advised.

Q "Has any method occurred to you to prevent the practice?"

A. "The only method that has occurred to me is that Government should hold these lands which are generally unfit for settlement and merely sell the timber upon them."

According to a statement made at this investigation by Richard Hill Thornhill, Chief Clerk of the Crown Lands Office for Upper Canada, the gross amount received by the Government of the Province in timber duties from the appointment of the Surveyor General of Woods and Forests in 1827, up to January 30th, 1838—a period of about ten years and a half—was £58,085. 4s. 11d. exclusive of defalcations amounting to upwards of nine thousand pounds. Hon. Charles Buller's report on the Public Lands and Emigration published as an appendix to Lord Durham's report, presents the following conclusions based upon the large volume of evidence presented during the investigation, the general tenor of which may be gathered from the excerpts above quoted.

After briefly reviewing the timber policy of the earlier days of the Province, and the then recent attempts to derive a revenue from the issue of licenses to cut timber, Mr. Buller goes on to say regarding the forests:

"I was unable to obtain any accurate information as to the probable value of this property. From the evidence, however, of Mr. Kerr and of Mr. Shireff, it appears that the quantity of timber upon the waste lands of the Province is practically unlimited, and that, independently of the consumption of this article in England, there exists at present a demand for pine timber in the Northern and Western States of the Union, which may be expected to experience a very rapid increase, and which can only be supplied from the British North American colonies.

"From the evidence of Mr. Kerr and Mr. Davidson and others, it appears that the revenue which, under a wise and careful system of management, might have been derived from this property, has been needlessly sacrificed by the practices adopted in the disposal of public lands. The value of the timber upon an acre of land at the price of government licenses, is frequently more than ten times greater than the amount required to be paid, in order to obtain possession of the land upon which the timber is growing. Payment of the first instalment of the purchase money is alone necessary for this purpose, and before the second instalment is due or any measures are adopted to enforce payment, the timber may be cut down and the land abandoned. To what extent this has been the case it is difficult to determine; but there is no doubt that very large tracts have been purchased for the sake of the timber merely; because the whole purchase money if paid, has been very far less than the price of timber licenses, and because the land would remain in the possession of the purchaser after the timber had been cut. Besides this cause of defalcation in the revenue that might have been derived from this source, there has been no proper inspection on the spot, so that the quantity of timber cut has been very far greater than that for which a license has been obtained.

"The plan which I have proposed of selling the land at a fixed uniform price, and requiring the payment of the whole purchase money at the time of the sale, will prevent to a very considerable extent, the purchase of land for the mere sake of the timber. As the land upon which the most valuable timber grows, is generally of an inferior quality of soil and of no value for agricultural purposes, it may be expected that but little of it will be purchased, and that the whole timber fund will be derived from the sale of licenses. It will therefore be expedient to establish an efficient system of supervision in all the timber districts and by comparing the returns made by the district inspectors of the quantity of timber cut, with the entries at the Custom House of the quantity of timber shipped, some security may be obtained against the frauds which are now practiced in respect of this property.

Land Sales for Cash Only.

"It is suggested by Mr. Kerr, that the present price of timber licenses is too low, having regard not merely to the value of the timber in the English market, but also to its price in the United States. Although disposed to concur in this opinion, I do not feel myself warranted in recommending any advance in that price at present upon the only information I now possess, and especially considering the uncertainty which is felt to be attached to the continuance of the present timber duties in England. This is one of the matters which must be left to the special authority which I shall subsequently recommend, to determine from further and more accurate inquiries.

"The present average annual amount produced by the sale of timber licenses in all the colonies appears to be about £24,000, but there seems no reason to doubt that under an improved system of inspection and management the amount might be greatly increased."

The amounts received by the Government as timber dues as well as the considerably larger sums accruing from the sale of public lands were regarded as entirely at the disposal of the Crown, that is to say, the administration of the day without responsibility to Parliament as to their expenditure. They were classed with some other items as "casual and territorial revenue," and kept entirely apart from the funds under control of the Legislature. The introduction of the system of payment for timber licenses almost simultaneously with that of the sale of the land, very greatly increased the revenue of the province and at the same time aroused strong political feeling by reason of the questions involved as to the management and expenditure of this fund. The abuses which speedily arose from the irresponsibility of the executive in the handling of the casual and territorial revenues did much to intensify the popular irritation which found vent in the outbreak of 1837. The principal causes of complaint in connection with the administration of this fund were set out with considerable fulness of detail in a series of resolutions passed by the Upper Canadian House of Assembly on March 18th, 1829, some of which are reproduced.

Disposal of Revenue.

"Resolved, that the possession of Revenue by the Executive to defray all expenses of the Civil Government, independent of Parliament, is inconsistent with public liberty.

"Resolved, that it appears from the message of His Excellency that the whole of the Estimate for the Civil List can, this year, be defrayed from the Crown Revenue and that the expenditure of about £10,000 per annum, which was defrayed till the year 1827 by grants of the Imperial Parliament, is now also transferred to what is called the Territorial revenue of the Crown, arising from the Canada Company Agreement, over the appropriation of which monies it is denied that the House has any superintendence or control.

"Resolved, that from the accounts in detail of the appropriation of the sum of £10.825 as furnished this House by His Excellency, a copy whereof is annexed, it appears that by far the greater part of that sum has been improvidently misapplied, because independent of the pretensions to a monopoly of the Clergy Reserves the large sum of £2,800 is allotted to the Clergy of the Protestant Episcopal Church, although that church forms a comparatively small proportion of the Christians in this Province, and because there are various pensions and allowances to persons who ought not to be burdens on this struggling Province; a salary to a naval officer as a sinecure, a salary to an agent in England, utterly unknown by name, character, duty, service or usefulness to this House or to the country, and other salaries and allowances improvidently paid (with the exception of the Lieutenant-Governor and Judges) to public officers for whom has been provided by this House of Assembly, independent of these extra allowances, such ample salaries and contingencies in years of past extravagance that they ought, in justice to the condition of the province, to be greatly reduced.

"Resolved, that the Provincial Executive have heretofore, in the appropriation and expenditure of public monies, violated that economy which, is in justice due to the people from whom they are raised, have abused the application of the fund improvidently granted by the 56th Geo. III., chap. 26, in aid of the Civil Government; have granted pensions and multiplied offices at the public expense without consent of Parliament, and have incurred and continued wasteful charges and annually increasing expenses in the administration of Justice and in the other departments, under an inveterate system of Executive patronage at the sacrifice of public economy; all which evils have heretofore existed from injuriously infusing into the country and even into the Legislature a spirit of subserviency incompatiable with the liberties and interests of the people."

The law of England exempting the subject from all taxes not imposed with the consent of Parliament and securing Parliamentary control over all expenditures, was declared to be the "ancient, common and fundamental law issuing from the first frame and constitution of the kingdom," and it was claimed that as the Provincial Legislature had adopted the laws of England as the rule for decision in all controversies relative to civil rights, that corresponding powers and duties to those inherent in the British Parliament appertained to the provincial body.

This clear and forcible presentation of the case produced little if any immediate effect. The evils complained of were continued despite all remonstrances. In 1835 a select committee of the House of Assembly on grievances, of which William Lyon Mackenzie was chairman, presented a report setting forth the administrative abuses of which the public complained, the following paragraph of which indicates how the absolute control of the executive over the expenditure of a large and increasing portion of the public revenue rendered the Government completely independent of the people's representatives:

"The almost unlimited extent of the patronage of the Crown, or rather of the Colonial Minister for the time being and his advisers here, together with the abuse of that patronage are the chief sources of colonial discontent. Such is the patronage of the Colonial Office that the granting or withholding of supplies is of no political importance unless as an indication of the opinion of the country concerning the character of the Government, which is conducted upon a system that admits its officers to take and apply the funds of the Colonists without any legislative vote whatever."

An agitation on similar lines was meanwhile going forward in Lower Canada and obtained such headway that in 1835 the Earl of Gosford, Sir Charles Edward Grey and Sir George Gipps were appointed as commissioners for the investigation of grievances in Lower Canada. Among the list of complaints presented to this body the question of the control of the revenue occupied a foremost place. The demands made by the House of Assembly of Lower Canada were thus summarized in the instructions forwarded by Lord Glenleg to the commissioners under date of July 17th, 1835.

"After the several gradations through which this question has passed, it has at length assumed the following shape:

The Claims of the Legislature.

"As representatives of the people of Lower Canada the House of Assembly claims the right of appropriating to the public service, according to their own discretion, the whole of the revenues of the Crown accruing within the Province. The claim extends to the proceeds of all parliamentary and provincial statutes, whatever may have been the original conditions of these grants; to the funds drawn from the sale of timber and of the waste lands of the Crown; to all fines and forfeitures, and to the income derived from the Seigniorial rights inherited by the King from his royal predecessors. In fine the authority of the Local Legislature over the income and expenditure of the Province is declared to be so extensive, as to embrace every part of that receipt and outlay, and so inalienable as to supersede even the concessions deliberately made in preceding times by the former representatives of the Canadian people."

On January 30th, 1836, Sir Francis Bond Head, who had a short time before assumed the Lieutenant-Governorship of Upper Canada, laid before the House of Assembly the instructions received on his appointment, embodying the answer of the Home Government to the representations made by the House as to the grievances requiring redress. This document in reference to the question of the control of territorial and casual revenues stated that claims precisely identical had been preferred by the Assembly of Lower Canada, and that in the instructions to the Commissioners of Enquiry who visited that Province the views of the Home Government had been already set forth.

The instructions to the Commissioners were therefore appended to the despatch as outlining a basis for the settlement of the question in both Provinces. In this paper the whole subject is treated very fully, the position taken by the Colonial Office being that it was necessary to secure the independence of the judiciary and the principal officers of the Local Government, and that to this end official incomes should be paid, "not at the pleasure of the popular branch of the Legislature, but from adequate funds to be irrevocably pledged for that purpose."

Claims of the Crown.

It was urged that alterations on the subject of the emoluments of the chief officers of the Crown, and especially of the Governor, would be derogatory to their character. "The tendency of such controversies would unavoidably be to introduce a disesteem for those functionaries by exhibiting them in the light of pensioners on the reluctant bounty of the representatives of the people." The officials of the Local Government, it was contended, having frequently unpopular duties to perform, and being called upon to oppose the passions and emotions of the day, should be raised above all influence, and suspicion of influence, of unworthy fear or favor. They should not be looking for their subsistence to the favor of a body which necessarily reflected most of the fluctuating movements of the public mind. "Such are the principal motives," wrote the Colonial Secretary, "which induced me to conclude that the King could not consistently with the interests of his Canadian subjects relinquish, except in return for an adequate Civil List, the control which His Majesty at present exercises over the hereditary and territorial revenue. * * * A temporary cession of the revenue in return for a provision for the chief public officers of the Province for a corresponding period, would be the most satisfactory arrangement."

The despatch took strong ground against transferring from the Executive to the popular branch of the Legislature, the management of the uncleared territory. "His Majesty's confidential advisers," says the writer, "regard as conclusive and unanswerable

the objections which are made to confiding the management of the uncleared territory of Lower Canada to either or both of the Houses of General Assembly, or to persons appointed by them and subject to their control. In the distribution of the different powers of the State the office of settling and alienating the uncleared territory properly belongs to the Executive Government." Any expectations which might have been entertained of a satisfactory settlement of the difficulty on the basis laid down in the Lieutenant-Governor's instructions were speedily dissipated by the bitter controversies which shortly afterwards arose between Sir Francis Bond Head and the dominant party in the Legislature. The popular feeling of irritation was further inflamed by the arbitrary course pursued by Lieut.-Governor Head, and culminated the following year in the 1837. quickly suppressed outbreak led by William Lyon Mackenzie, which, though an utter failure considered as a military enterprise, did much to arouse the attention of the Government and people of Great Britain to the real condition of affairs in Canada and bring about responsible Government.

In the year 1838 the Committee on Finance of the House of Assembly brought in a report on casual and territorial revenue, submitting a draft of a bill appropriating this branch of the revenue, accompanied by a series of resolutions respecting the appropriations to be made therefrom, in accordance with the plan of settlement proposed by the Colonial Office. This measure passed the Assembly but failed to become law, as it did not obtain the concurrence of the Legislative Council. The following year, however, the subject was brought before a Joint Committee of the two Houses, and a bill to appropriate the casual and territorial revenues passed in both branches of the Legislature. The royal assent to the measure was, however, refused, but it was intimated that the objections entertained to it were such as could easily be removed.

Meanwhile the greater question of the union of the Provinces began to engross public attention. In the discussion of the subject the surrender of the casual and territorial revenues in return for the granting of an adequate civil list was one of the points insisted on by the Upper Canada Assembly. The Act of Union adopted by the British Parliament in 1840 in conferring responsible government upon the people of Canada, placed in the control of the Legislature all territorial and other revenues at the disposal of the Crown, subject to certain charges, the principal of which was the civil list for the payment of the salaries of the Governor, Judges and other officials amounting to £75,000.

UNDER THE UNION.

The system of disposing of licenses to cut timber on the Crown domain, which, as has been shown, was managed with great laxity, under the Government of Upper Canada, yielding a mere fraction of the sum which it might have contributed to the revenue under proper regulations, engaged the attention of the administration of the United Provinces at an early date. On the 30th of March, 1842, instructions as to the granting of licenses were issued by the Hon. John Davidson, Commissioner of Crown Lands, to James Stevenson, Collector at Bytown, as Ottawa was then named, with the object of ensuring greater strictness and introducing the principle of competition among lumbermen. The following are some of the more important rules laid down:

"The Licenses to be granted during the present year are to contain the same conditions as heretofore, as it respects the prices for the timber, the terms of payment, and the manner in which the timber is to be measured.

"All Licenses are to be granted for a fixed period from the date of License, after which the right of any person over the limit which it describes is to cease and determine:

To Induce Competition. "When application is made by an individual, other than the party who occupied the limit during the preceding year, and where there is no reason or order to withhold a renewal of license in favor of the person who occupied it during the preceding year, such application shall be suspended until the first of August, unless the person who had the license the preceding year shall, in the meantime, come forward and request a renewal; then it shall be at your dis

cretion either to dismiss the first application, or within ten days after the application of the person who worked the limit, offer it at public sale and adjudge it to the highest bidder (the party who held the license the preceding year being entitled to bid first at the upset price), with the condition that the party to whom the limit may be adjudged shall pay the auctioneer's fees, deposit one-fourth of the purchase money, and give sufficient security for the remaining three-fourths before four o'clock of the day of the sale; and in the event of his failing to do so, the limit to be assigned to the next highest bidder who can comply with the conditions of sale.

By Public Sale.

"If two or more applications be received on the same day for a limit not worked upon the preceding year, or not worked upon according to the true spirit and meaning of the license granted, the limit shall be offered at public sale within ten days after the applications are received, on the conditions stated in the previous paragraph as to auction fees, deposit and security.

"When sufficient information is laid before you to assume that the terms and conditions of the license, granted for a particular limit, have not been strictly complied with, or that the party is charged with having trespassed on the limits of others, it is at your discretion to refuse, to the party complained of, license to cut timber; but, at the request and expense of the party, you may name a D.P.S. to examine into the complaint, and if his report shall rebut the charge, the License may be renewed or one issued for some other limit.

Amount to be Cut.

"The quantity of timber to be inserted in the License, and which the parties bind themselves to take out, is to be estimated at 5,000 feet for every mile in length, and no greater extent of limit than 10 miles is to be licensed to any individual on any one place."

Wilful trespass by license holders upon Crown property not included within their limits was declared to be punishable by the cancellation of the License and the seizure of the timber so cut. District agents in surveyed townships were charged with the duty of protecting from trespass the Crown property within their agencies, the Bytown collector being instructed to furnish them with every assistance to prosecute trespassers.

The provisions above quoted for the disposal of licenses, in certain cases, by sale to the highest bidder, seem to be the earliest practical recognition of the advantages of the auction system, afterwards extended from time to time, and finally adopted altogether with such satisfactory results both to the lumber trade and the public interest, securing to the Treasury the full value of lumbering privileges, while affording exact and even-handed justice to all applicants.

The receipts of the old Province of Upper Canada for timber sales for the year 1839 were £8,244, and for the period commencing January 1st, 1840, and ending 9th February, 1841, £18,881, a difference probably due to irregularity in the methods of collection rather than fluctuations in the trade.

The timber receipts for Canada under the new regime were £37,572 in 1842, £46,301 in 1843, and £28,828 in 1844.

While, as has been shown, the British statesmen who in the early days of the colony directed, or rather endeavored to direct, the course of the Colonial Executive, fully realized the importance of maintaining timber reserves, there is little in the proceedings of the rulers of Canada under the system of responsible government to show that they appreciated, to any extent, the desirability of preserving the forests as a source of future supply. Such, in fact, was the general prevalence of the idea that the timber resources of the country were practically inexhaustible, coupled with ignorance as to the possibility of at the same time realizing a periodical crop and preserving the productiveness of the area from which it was taken unimpared; that even had more enlightened views been held by those charged with the administration of affairs, they would have met with popular opposition and ridicule. Those who possessed some vague ideas that the work of deforestation was proceeding too thoroughly, and that it might be advisable to call a halt, were not sufficiently practical to effect any good result. One of the earliest, perhaps the very

first public remonstrance against deforestation may be found in the Journals of the Legislative Assembly under the date of May 11th, 1846, in the following paragraph :

"On motion of Hon. Mr. Laterriere, seconded by Mr. Tache. Resolved, that this House will on Wednesday next resolve itself into a committee of the whole House to consider whether it would not be expedient to prevent the sale of timber from off the Public Lands." All that is recorded of the discussion is the curt official entry for the following 3rd day of June to the effect that "the House accordingly resolved itself into the said committee. Mr. Hall took the chair of the committee and after some time spent therein Mr. Speaker resumed the chair." In the absence of Hansard, or even the briefest mention of the matter in the newspaper reports of the period, it may be doing Mr. Laterriere an injustice to class him with the well-meaning but unpractical people who, in the earlier days of the forestry movement, sought to "save the forests" by prohibiting all use of the axe within the limits of the area to be preserved. But the wording of the resolution certainly bears this construction.

New regulations were issued during 1846 when the following notices to applicants for timber licenses appeared in the Canada Gazette.

Crown Lands Department,
Montreal, 24th June, 1846.

Notice is hereby given that application for Licenses to cut Timber on the River Ottawa and its tributaries will be received by James Stevenson, Esquire, at Bytown until the fifteenth day of August next.

1st. No new limits will be granted exceeding 5 miles in front by 5 miles in depth, or half way to the next river.

2nd. Present holders of licenses will be allowed to renew them for the ensuing and two more seasons without alteration of limits, but after the 1st May, 1849, all timber berths will be curtailed to the above mentioned sizes ; the present occupant having the choice of the part of his present limits which he will be permitted to retain. The surplus will be disposed of as may hereafter be determined upon, of which due notice will be given.

3rd. Licenses are not to be transferable and any subsequent attempt to infringe or evade this regulation will subject the party concerned to the forfeiture of his license and of all moneys paid on account of the same. Applicants to state whether their applications are made for themselves individually or as concerned with others or on behalf of other parties.

4th. All timber berths for which no application for renewal shall have been made by the present owners, or in regard to which the applicant shall have neglected to comply with the conditions of renewal on or before the 15th of August, shall be put up to public sale without further notice on the 1st September next, together with all other Timber Berths for which more than one application shall have been filed, to be adjudged in cases of competition to the party bidding the highest premium for the same, to be paid down at the time of adjudication.

5th. The quantity of Timber to be inserted in the License and which the parties will bind themselves to take out, is to be estimated at 1,000 feet per square mile, upon the price of which a deposit of one fourth will be required before 4 o'clock on the day of sale ; if not then paid the Berth to be adjudged to the next highest bidder or next applicant. Bonds as now practiced to be given for the remaining three-fourths, signed by the principal and two sufficient sureties within eight days after ; failing which two-fifths of the deposit and license to be forfeited.

1000 feet per Mile.

6th. It is to be understood that licentiates are to manufacture at least 1000 feet of timber per square mile granted (if to be had within the limits), should a less quantity be made a proportionate amount of the deposit will be forfeited and the limits curtailed accordingly.

7th. After the 1st September all vacant timber berths will be granted to the first applicant on his complying with the conditions of sale.

8th. Parties applying for timber limits on unexplored rivers will be expected to furnish a sketch of the same by a sworn surveyor, connected with some surveyed or known point, and describing distinctly the point at which the limits are to commence. Should the sketches so furnished subsequently prove to be incorrect all licenses based upon them will become null and void.

9th. Limits hereafter declared forfeited for non-fulfilment of the conditions stipulated, to be adjudged to the party giving the information and proving the fact to the satisfaction of the department, or if not required by him to the next applicant.

DEPARTMENT OF CROWN LANDS,
MONTREAL, August 14th, 1846.

Notice is hereby given that (with the exceptions mentioned at foot) applications will be received until Thursday, the first day of October next, and Licenses granted by the various District Agents of this Department to cut Timber on the vacant Surveyed and Unsurveyed Lands of the Crown within their respective agencies.

Five Mile Limits. 1st. No New License will be granted exceeding five miles in front by five miles in depth, or half way to the next river.

2nd. Holders of Licenses will be permitted to retain their present limits until the 1st of May, 1849, on complying with the conditions of renewal, but after that period, their limits if larger will be reduced to the above mentioned sizes.

3rd. Licenses are not to be transferable without the sanction of the Department, and any attempt to infringe or evade this regulation will subject the party concerned to the forfeiture of his License and of all monies paid on account of the same. Applicants are to state whether their applications are made for themselves individually, or as concerned with others, or on behalf of other parties.

Auctions. All Timber Berths not covered by Licenses, or for which no applications for renewal shall have been made, will be sold to applicants on the said 1st of October, and in case of competition be adjudged to the party bidding the highest premium to be paid down at the time of sale.

The quantity of Timber to be inserted in the License, and which the parties will bind themselves to take out is to be estimated at 1,000 feet per square mile, upon the price of which a deposit of one fourth will be required before 4 o'clock on the day of sale; if not then paid, the Berth to be adjudged to the next highest bidder or next applicant. Bonds as now practiced to be given for the remaining three-fourths, signed by the principal and two sufficient sureties within eight days after, failing which two-fifths of the deposit and license to be forfeited.

Should a less quantity of Timber be made, than specified in the license, a proportionate amount of the deposit will be liable to forfeiture, and the limits to be curtailed accordingly.

Parties applying for Timber Limits on unexplored rivers will be expected to furnish sketches of the same by a sworn Surveyor, connected with some surveyed or known points, and describing distinctly the points at which the limits are to commence. Should the sketches so furnished subsequently prove to be incorrect, all Licenses based upon them will become null and void.

Limits hereafter declared forfeited for non-fulfilment of the conditions stipulated, to be adjudged to the party giving the information and proving the fact to the satisfaction of the Department, or if not required by him to the next applicant.

After the 1st of October next, all vacant Timber Berths or Tracts will be granted to the first applicant on his complying with the conditions of sale.

Districts Reserved. The Districts excepted from the above regulations are in Upper Canada, the Bathurst and Dalhousie Districts, and that part of the Midland District lying beyond the Northerly outlines of the Townships of Sheffield, Hinchinbrooke and Bedford.

In Lower Canada all the easterly side of the River Ottawa above the Chaudiere Falls, commencing with the Townships of Hull and Wakefield, which will remain as heretofore under the management of James Stevenson, Esquire, at Bytown, to whom application to cut timber, in any of the last mentioned Districts or Tracts must be addressed.

Quantity Reduced.

N. B. In consequence of the present depressed state of the Timber Trade, the quantity of timber to be cut per square mile has been reduced for the season from 1,000 to 500 feet—upon which latter amount only the deposit will be required.

It will be observed that while the first of these notices, which applies only to the Ottawa region, absolutely prohibits the transfer of licenses; the second of a later date, which is more general in its scope and excepts the Ottawa section from its provisions, modifies this provision by requiring the sanction of the Department to all transfers. Presumably the condition was similarly relaxed in the territory covered by the first notice also, and it is also probable that the reduction of the quantity of timber to be cut per square mile was generally applicable.

The year 1845 was an exceedingly prosperous one for the lumber trade. There was a heavy demand at that time for our timber in the British market and prices were very remunerative. The quantity of timber brought to market at Quebec that year was 27,702,344 feet, of which the quantity exported was 24,223,000 feet. The temporarily favorable conditions of the trade resulted in a considerable over-production in 1846 and the year following which, coupled with a falling off in the British demand, created a serious depression in the industry.

The regulations then in force in the Crown Lands Department contributed not a little to unduly stimulate production by requiring the manufacture of a large quantity of timber on every limit, regardless of the requirements of the market or the convenience of the operator, upon penalty of forfeiture of the limit. At the same time the timber production of New Brunswick was very greatly increased, coming into competition with the Canadian output, while the general commercial depression in Britain caused a great falling off in consumption.

Lumber Trade Commission.

On January 30th, 1849, the Legislative Assembly appointed a select Committee, composed of Mr. Scott, of Bytown; Hon. Mr. La Terriere and Messrs. Egan, Johnson, Bell, Hall, Flint and Holmes "to enquire into and report upon the state of the Lumber Trade, the cause of its present depression, the protection of the forests from unnecessary destruction, and upon all other matters connected with the lumbering interest of this Province."

The evidence taken before this committee threw a good deal of light on the condition of the trade and the particulars in which a reform of the license system was urgently required.

Over Production.

W. W. Dawson, a leading lumberman of Bytown, gave the following testimony:—"The first great blow then, which the trade received in 1846, was caused by over-production, for had the supply been in the proportion to the demand there is no reason to believe that prices would have ruled one fraction lower than they did in the previous year, nay, it is probable that they would have ruled higher, as, notwithstanding the high prices the British merchants paid for Canadian timber in 1845, they had found their dealings therein sufficiently satisfactory to induce them to increase their demand for it in 1846.

"In the two succeeding seasons, 1847 and 1848, although other causes entered into combination with it, the over-production of 1846, hanging like a dead weight on the market, still operated as a principal depressing influence. Thus in 1847, including the quantity brought to market and the stock on hand, there was a total supply of 44,927,253 feet of square timber to meet a demand for 19,060,880, and in 1848 there was in like manner a total supply of 39,447,776 feet, to meet a demand for 17,402,360. The other causes which have combined to depress the trade in the two latter years, resolve themselves so

far as we are concerned into one, viz., a decreased demand. The causes which have led to the decreased demand we have no control over, and I shall briefly advert only to what seem to be the most apparent. In the first place our own large export of 1845 and 1846 may have tended in some measure to overstock the British market; in the next place it would appear that an enormous supply has been thrown upon the market in these latter years from the Province of New Brunswick, quite unprecedented at any former period. What influence the Baltic trade may have had I am not very clearly aware, as it does not appear that at least of square timber, there has been any great increase of the quantity thrown upon the market from that quarter. The greatest and most apparent cause of all, however, is to be found in the diminished consumption arising from the depressed state of commerce in general in Great Britian and throughout the whole of Europe.

"It is therefore clear that the depressed state of trade was solely owing to over-production in 1846, and to that primary cause combined with a decreased demand in 1847 and 1848.

Objections to the System.

"I believe that there were other causes arising out of the pernicious influence exercised over the government of the trade by the absurd policy sometimes pursued by the Crown Lands Department (as it was then conducted), the particulars of which, as far as they relate to this question, may be classed under three heads, viz.:—

1. The order to manufacture a certain large quantity of timber upon every limit, under penalty of forfeiture.

2. The threatened sub-division of the limits, and

3. The want of any equitable or decisive action on the part of the Department with respect to disputed boundaries, etc.

"The first of these speaks for itself and needs no explanation, as it is evident that those who considered their limits valuable, or had invested large sums in their improvements would rather risk the remote and at that time unforseen consequence of overdoing the trade, than yield any just title they possessed. It is at all events impossible to deny some influence to this cause, when we find these two facts staring us in the face—first fact, the Government ordered the trade to be overdone—second fact, the trade was overdone.

"With regard to the second, the sub-division of the limits, there were indeed some who made light of or laughed at it, knowing that it would either be rescinded before it came into force, or that they could evade it, but a greater number were carried away by the idea that, as after a stated period they would have to give up a part of their limits, they ought to make the most of them while they had them, especially as the times were then good. It thus afforded an excuse for some and added stimulus to others, to increase their business; very few in the lumbering fever of that period, pausing to consider the ultimate consequence.

The Right of Might.

"The third of these causes may appear a strange one, but it is easily explained. There were cases of disputed boundaries which for want of any decisive action on the part of the Government, even when applied to by all the parties, resulted in appeals to physical force. This, of course, induced the parties who struggled for a physical superiority in these remote parts entirely beyond the reach of law, to double, treble, or quadruple the number of men they would otherwise have employed, and as such a force, when on the ground, would of course be used to the most advantage, they would thus double, treble, or quadruple the quantity they would otherwise have manufactured. That this has been the case to some considerable extent I am positively aware, as I could point to one instance in which certain parties who would not otherwise have got out but a limited quantity, but who were by this means forced into a business of half a million feet or upwards. While, therefore, the rage for lumbering consequent upon the large profits of 1844 and 1845, must be allowed to have been the main cause of the over-production, these other causes aided very materially in producing that result."

In reply to the question—"Do you conceive that there is any danger of a monopoly of licenses to cut timber on the waste lands of the Crown. What means can be taken to prevent it?" Mr. Dawson said :—

"There is no danger of a monopoly of the waste lands of the Crown on the Ottawa, the extent being too great to permit of the possibility of such a thing, but there is danger of monopoly occurring, as it has already occurred in particular instances. The remedy is easily applied as it only requires that the title to the renewal of license should depend upon actual occupation. This has hitherto been the rule, but the standard of occupation has been too high, thereby injuring the trade materially while in particular instances the object has been defeated by making special cases in which the rule was not enforced. I think that this question might be favorably affected by a change in the present system of deposits, which would at the same time afford a very considerable degree of relief to those engaged in the trade.

Right to Renewal.

At present a deposit of one-fourth of the duty on the quantity required to be taken out, is exacted on the issuing of every license for the season's operations, the amount being remitted the next year upon the collection of the duty on the actual quantity which may have been cut. Instead of this I would propose that a ground rent of 2s. 6d. per square mile, as a final payment should be levied annually for every limit upon issuing the license for that year's business; as a preventive of monopoly I would then double the ground rent in case of non-occupation, and continue doubling it every year the limit remains unoccupied. I would scarcely venture in the present state of trade to propose the ground rent system, if it were to constitute an additional impost upon the trade, but if a corresponding degree of relief could be afforded in any other way it would be most satisfactory and efficient."

Ground Rent Proposed.

With regard to the size of the timber limits Mr. Dawson, referring to a notice published in the *Official Gazette* in 1846, that after the 1st of May, 1849, all limits of a larger extent than five miles should be so sub-divided that none should exceed that size, expressed himself as follows :—

"The object of reducing the size of all limits to five miles, I believe to have been pretty much the same as that of the clause requiring the manufacture of a large quantity, viz., to make every space of five miles for which license should issue produce a raft of timber annually, a theory which, I should hope, has been sufficiently exploded by its bitter effects. When the trade is in a prosperous condition, the profits are sometimes very large, and this naturally gives rise to an excessive spirit of speculation, which speedily brings ruin upon all concerned. A wise policy, therefore, would rather supply some check upon, than add a stimulus to, this speculative spirit, by discouraging instead of facilitating and urging on an over production, especially as it is hardly possible to conceive of any danger to the opposite extreme, as the facilities will always be such in spite of any discouragement, as to keep the supply in excess of the demand."

Speaking of the system then in vogue of estimating and collecting timber dues Mr Dawson said :

"Anything more unjust in its principles and application or more expensive in its operation could scarcely be invented." He proceeded to give a striking illustration of its unfairness, selecting the duties upon red pine, the principle, as he remarked, being the same as regards all kinds of timber. The amount of duty levied on red pine was one penny per cubic foot, the timber not being measured but only counted, and the amount made up from a fixed and arbitrary average of 38 feet per stick.

Unfair Measurements.

"The real average of the red pine rafts taken to Quebec varied from 26 feet or under to 50 feet or upwards per stick, the large being charged precisely as much duty as the small. In one instance a raft of the largest sized red pine ever seen there averaged 68 feet per stick. One of the rafts of small timber the previous season averaged 26 feet per stick.

"The owner of the large raft, assuming the duty to be a penny per foot, had exactly thirty feet in every stick for which he had to pay nothing, while the owner of the small raft had to pay for twelve feet more on every stick than it actually contained." Considering the duty as a charge ad valorem he went on to show that as the large raft was sold for 1s. 3¾d. per foot, and the small raft for 5d. per foot, the owner of the former paid about 3⅛ per cent of the whole proceeds of his timber to the Government, while the proprietor of the small timber was taxed something over 29 per cent on its value. This was admittedly an extreme case, but the principle which rendered such a discrepancy possible operated throughout—Mr. Dawson went on to say:

"The remedy for this, as far as making the burden fall more equally upon those paying Crown dues for their timber, is very simple, and would consist in collecting the amount according to the actual number of feet instead of on the number of pieces as now practised. . . . . There is, however a more important measure in view which should supersede all the abuses of the present system, and at the same time afford a great degree of relief to the trade at large. This measure is the same as that now in force and which has been found to work so well in New Brunswick, and should consist in imposing a small duty on all timber clearing at the Custom House, which with the proposed ground rent, would stand in lieu of all present charges. One shilling per ton in this way would produce a much larger revenue than that now derived from timber."

Nearly all the lumbermen examined, including John Porter and Joseph Aumond, of Bytown, Peter Aylen of Aylmer, and Ruggles Wright af Hull, agreed in advocating a ground rent on timber limits in order to prevent monoply, some favoring five shillings per square mile, while others were disposed to consider 2s. 6d. sufficient. They were practically unanimous as regards the injustice of the system in vogue, and the facilities it presented for fraud, while as to the size of the limits there appeared to be much difference of opinion.

William Harris, of Bytown, pointed out how the system of levying dues entailed a loss to the revenue and encouraged wasteful methods of lumbering.

Square Timber and Fires.

"After all the large timber is cut off a limit, so many trees, blocks, chips, etc, are down on the ground, that pine woods are subject to and are frequently destroyed by fire; thus young and small timber reserved in the woods is totally destroyed; whereas had the lumberman been induced to cut it in the first place by an ad valorem duty, he would avail himself of his opportunity, of his advantage to do so, for railroad framing, lath-wood and other purposes where small lumber can be employed. Under the existing system an immense revenue is lost to the Crown, and a serious drawback is inflicted on the lumberman. Under this system, as large dues are exacted for the smallest tree as the largest—a tree of 12 or 14 feet would be as expensive to cut as one of 60, which amounts to prohibition of cutting small timber. Were an ad valorem duty imposed instead of the present dues, a considerable amount of duty for masts and spars, over the amount collected would be obtained. Instead of paying 3s. 2d. for a stick available for masts worth say £20, one-eighth per cent. should be obtained, and for a red pine spar worth £10 a like percentage, which would make a material difference in favor of revenue derivable from this source. Spruce, black birch, hackmatack for sleepers for railroads, and other small timbers would be taken also, which are now rotting in the woods. Spruce would do for booms, birch for cabinet work, and very large quantities of this species of timber is to be met with very far north on the Ottawa, hitherto untouched. * * * Under the present system, dealers in square timber pay 2s 11d. for every tree—the dealer in sawed lumber 1s. 3d., making a difference in the revenue of 1s. 8d. to the tree, and frequently more, as all trees do not produce three standard logs—a loss arises to the revenue by counting logs instead of measuring them; the square timber manufacturer takes the whole of the tree, the deal manufacturer nothing but the clearest stuff, leaving all trees and parts of trees having the slightest appearance of knot or flaw in the wood abandoned to rot or fire. An advantage over the square timber maker should be had by the deal maker, inasmuch as he spends in his business in the country, more capital than the square timber maker, but not to the unfair extent now existent."

Suggested Changes.

The first Report presented by the Select Committee on the Lumber Trade, considered the question of the establishment of a boom or depot at Quebec for the reception or safe-keeping of rafts on their arrival at that port, recommending such a step on the ground that the existing booms or depots were in the hands of parties interested in the shipping trade, who took advantage of their position in compelling the payment of such dues as they thought proper, and having an understanding with each other injurious to the manufacturer and restrictive of trade.

The Second Report, in which the broader question in connection with the regulations of the Lumber Trade and the cutting of timber on the public domain are dealt with, is as follows:

COMMITTEE ROOM, 18th April, 1849.

Your Committe, in the prosecution of their inquiries, have taken considerable pains to ascertain the state of the lumber trade, and the causes which have tended to its present ruinous condition. The general depression of all commercial matters, both in this Province and in Europe, has of course operated injuriously upon the trade, but Your Committee conceive that much might have been done by a more judicious management of the waste lands of the Crown (from which a large proportion of the timber taken to market is obtained) by wholesome regulations for the granting of licenses, by a more equitable exaction of duty, and by less oppressive duties upon articles imported for the exclusive use of the trade.

Important Report.

From the evidence adduced it appears to Your Committee that the present depression of trade has been caused by the over-production of 1846, to the extent of 13,000,000 feet; in the fall of 1847 the surplus remaining in Quebec was still greater; in 1848 it had but slightly diminished, and it is likely for the next year, and probably longer, to have an injurious effect upon the trade; this great increase of manufacture, no doubt, was induced by the enormous profit of 1845, and the supposition that large quantities of our timber would be required in the construction of railroads then projected in Great Britain and other parts of Europe. Another cause of increase in the manufacture, which however would apply chiefly to the Ottawa country, was a regulation of the Crown Lands Department requiring the manufacture of a certain quantity of timber on each "limit" whether or not it suited the occupier, under penalty of forfeiture. The tenure of the "limits" was also of so uncertain a nature that many of the holders were induced to manufacture as much as possible with a view of deriving the full advantage from their improvement so that they might, before forfeiture or change of system, have manufactured all the timber fit to be taken to market, and thus have defeated propositions then mooted for the division and re granting of all limits held under Crown licenses from year to year; both of the above regulations have been suspended for the last two years, but not until the consequences had been severely felt, and the effects of which are still apparent in the large stock of timber on hand, and which has been a dead weight on the trade since 1846.

Uncertain Tenure.

Your committee can suggest no remedy to prevent over-production: the ease with which the quantity of timber can be increased, resulting from the unlimited extent of the lumbering country, and the fact that little or no mechanical skill is required in its manufacture, renders its production commensurate only with the means of the manufacturer and some few natural causes, such as the fall of snow, spring floods, etc., etc.

Ground Rent and Export Duty

Your Committee are, however, of the opinion that the plans suggested by several witnesses examined before them, of abolishing the present system of granting licenses, having due regard to the rights of the present occupants, and the issue upon the terms of a ground rent, as proposed by Messrs. Aumond, Porter, Dawson. Russell and others, and the adoption of an export duty in lieu of the present charges, as now in use in the Province of New Brunswick, would have the effect of relieving the manufacturer from the oppressive burden of deposits on the issue of licenses and the payment of the duty on the timber reaching the market or soon after, without having any or much effect upon the revenue or the rights of private parties owning timbered lands.

In the event of this plan being considered impracticable, Your Committee begs leave to suggest an alteration in the collection of duty, by the substitution of actual measurement instead of the system now in use, of the payment of so much per stick, without reference to its size; this would have the effect of equalizing the duty on all sizes of timber, whereas at present the stick containing one hundred feet or more pays no more to the revenue than the one containing twenty feet or less, although the large stick is often one-third more valuable per foot than the small one; an increase in the revenue would thus be gained, and an impetus be given to the manufacture of the smaller sizes of timber for railroad and other purposes, which cannot at present be profitably manufactured, and which leads to the destruction of the larger sizes of timber for uses for which the smaller kind would suit as well, and which the present system prevents being manufactured; nor would the manufacture of small timber have the effect of destroying forests from which supplies of large timber might be drawn, as it is a fact that in many situations there are large tracts of country covered with small timber, which has arrived at its full growth, and might be a source of wealth to the lumberman and revenue to the Province, if its manufacture was not virtually prohibited.

Your Committee would also suggest the reduction of the present establishment for the collection of timber duties, and the management of Slides upon the Ottawa, and the remodelling of the various offices, as suggested by the evidence of the parties above referred to, by which a saving to the Province of upwards of £1,000 per annum might be effected.

All of which is respectfully submitted.

JOHN SCOTT,
Chairman.

THE FIRST CROWN TIMBER ACT.

The immediate outcome of the action of the Select Committee was the adoption, during the same session, of the first Canadian Legislative enactment on the subject of timber licenses, which, with the regulations of the Crown Lands Department, issued in accordance with its provisions, practically forms the point of departure from which our present system has been developed. It has, therefore, been considered advisable to present both in full, together with the form of license appended to the regulations.

An Act for the Sale and Betterment of Timber upon the Public Lands:—

"Whereas it is deemed expedient and proper to provide by law, as well for the sale of the Timber growing on the Public Lands of the Province, as for the protection of the said timber against the frequent and extensive depredations committed upon it in various parts of the Province: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliaments of the Province of Upper and Lower Canada, and for the Government of Canada, and it is hereby enacted by the authority of the same: That it shall and may be lawful for the Commissioner of Crown Lands, or any officer or agent under him, duly authorized to that effect, to grant licenses to cut timber on the ungranted lands of the Province at such rates and subject to such conditions, regulations and restrictions as may from time to time be established by the Governor of the Province, by and with the advice of the Executive Council, and of which due notice shall be given in the Canada Gazette. Provided always that no license shall be so granted for a longer period than twelve months from the date thereof: And provided further that if in consequence of any incorrectness of survey, or other error or cause whatsoever, a license shall be found to cover grounds already included in a license of a prior date, the license last granted shall become null and void in so far as it may interfere with the one previously issued, and the holder or proprietor of the license so rendered null and void shall have no claim whatsoever upon the Government for indemnity or compensation by reason of such cancellation.

Regulations Subject to Change.

For One Year Only.

2. And be it enacted, That the licenses so granted shall describe as accurately as circumstances will permit the ground or grounds upon which the Timber shall be cut and shall be held to confer, for the time being, on the nominee, the right to take and keep possession of the premises described to the exclusion of all other parties, subject to such regulations and restrictions as may be established; and such licenses shall have the effect of vesting in the holders or possessors thereof all rights of property whatsoever in all such trees, timber and lumber as shall or may be cut upon or within the limits of any such license during the term thereof, whether such trees, timber and lumber shall have been cut by or under the authority of the holder or proprietor of such license, or by any other person, with or without his consent, and such licenses shall be deemed sufficient authority to entitle the holders or proprietors thereof to seize or cause to be seized, by way of re-vendication, *saisie re-vendication*, or otherwise, such trees, timber or lumber, where the same shall be found in Canada in the possession of any unauthorized person, and shall be deemed sufficient authority to institute any action or suit at law or equity against any wrongful possessor or trespassers, as well as to prosecute all trespassers and other offenders to punishment, and to sue for and recover damages if any shall have been sustained, and all proceedings pending at the expiration of any such license shall or may be continued and carried to final termination in the same manner as if said license had not expired.

3. And be it enacted, That all persons obtaining licenses shall, at the expiration of said license, make to the officer or agent granting the same, or to the Commissioner of Crown Lands, a return of the number and kinds of trees cut, and of the quantity and description of sawlogs, or of the number and description of sticks of square timber he has manufactured and carried away under such license, which statement shall be sworn to by the proprietor of the license, or his agent, or by his foreman or principal man, before one of the justices of the peace, who are hereby authorized to administer all oaths required by this Act; and persons refusing or neglecting to furnish such statement, or evading or attempting to evade any regulation hereafter to be established by Order-in-Council, shall be held to have cut without authority, and the timber made shall be dealt with accordingly.

Subject to Seizure.

4 And be it enacted, That all timber cut under licenses granted shall be held liable for the payment of the dues established thereon, so long as and wheresoever the said timber, or any part of it, may be found within the limits of the Province, whether in the original logs or manufactured into deals, boards, or other stuff, and it shall be lawful for all officers or agents entrusted with the collection of such dues to follow all such timber and seize and detain the same wherever it may be found until the dues are paid or satisfactorily secured.

5. And be it enacted, That bonds or promissory notes, which may be taken for the amount of dues either before or after the cutting of the timber, as collateral security or to facilitate collection, shall not in any way effect, or invalidate the lien of the Crown on any part of the timber, but the lien shall subsist in full force until the dues are actually discharged.

6. And be it enacted, That if any timber so seized and detained for non-payment of dues, shall remain more than twelve months in custody of the agent or person appointed to guard the same, without the dues and expenses being paid, then it shall be lawful for the Commissioner of Crown Lands, with the previous and special sanction of the Governor-in-Council to that effect, to order a sale of the said timber to be made after sufficient notice, and the balance of the proceeds of such sales, after retaining the amount of dues, and costs incurred, shall be handed over to the owner or claimant of such timber.

Trespass.

7. And be it enacted, That each and every person who without competent authority shall cut, or who may employ or induce any other person or persons to cut, or who shall assist in cutting any timber of any kind whatsoever, on any of the Crown, Clergy, School or other Public Lands of the Province, or who shall remove or carry away any Merchantable timber of any kind so cut from any of the Public Lands aforesaid, shall not acquire any right to the timber so cut, or claim to

any remuneration for cutting, or preparing the same for market, or for conveying the same to or towards the market, but he shall in addition to the loss of his labor and disbursements, forfeit a sum of fifteen shillings for each and every tree, rafting stuff excepted, which shall be proved he cut or caused to be cut or carried away, which shall be recoverable with costs, at the suit, and in the name of the Commissioner of Crown Lands or resident agent, in any Court having jurisdiction in civil matters to the amount of the penalty; and that in all cases under this Act, it shall be incumbent on the party charged to prove license or authority to cut, and the averment of the party seizing or prosecuting that he is duly employed under the authority of this Act, shall be deemed sufficient proof thereof, unless the defendant shall prove to the contrary; provided always that the penalty of fifteen shillings per tree shall only be recoverable when the timber or saw logs made have been removed out of the reach of the officers of the Crown Lands Department or it shall otherwise be found impossible to seize the same.

8. And be it enacted, That whenever satisfactory information supported by the affidavit of one or more persons, made before a Justice of the Peace or before any other competent party, shall be received by the Commissioner of Crown Lands or any other officer or agent of the Crown Lands Department, that any timber or quantity of timber has been cut without authority on Crown, Clergy, School, or other Public Lands and describing where the said timber may be found, it shall and may be lawful for the said Commissioner, officer or agent, or any one of them, to seize, or cause to be seized, in Her Majesty's name, the timber so reported to be cut without authority, wherever it may be found within the limits of the Province, and to secure and place the same under proper custody, until such time as a decision can be had in the matter from competent authority; Provided always that wherever the timber so reported to have been cut without authority on the Public Lands aforesaid, without license, has been made up with other timber into a crib, dam or raft, or in any other manner has been so mixed up at the mills or elsewhere, as to render it impossible or very difficult to distinguish the timber so cut on the lands aforesaid without license, from other timber with which it may be mixed up, the whole of the said timber shall be held as having been cut without authority on Public Lands, and be liable to seizure and forfeiture accordingly until satisfactorily separated by the holder.

9. And be it enacted, That it shall and may be lawful for any such officer in the discharge of his duty to call in such lawful aid and assistance in the name of the Queen as may be necessary for securing and protecting the timber so seized: and if any person or persons whatsoever, shall, under any pretence, either by actual assault, force or violence, or by threat of such assault, force or violence, in any way resist, oppose, molest or obstruct any officer, or person acting in his aid or assistance, in the discharge of his or their duty, under the authority of this Act, such person or persons being convicted thereof shall be adjudged guilty of felony and shall be punishable accordingly.

10 And be it enacted, That if any person or persons whatsoever, whether pretending to be the owner or not, shall either secretly or openly, and whether with or without force or violence, take or carry away, or cause to be taken and carried away, any timber which shall have been seized and detained as subject to forfeiture under this Act, before the same shall have been declared by competent authority to have been seized without due cause, or without permission of the officer or person having seized the same, or of some competent authority, such person or persons shall be deemed to have stolen such timber, being the property of Her Majesty, and to be guilty of felony, and liable to punishment accordingly; And that whenever any timber shall be seized for non-payment of duties, or for any other cause of forfeiture, or any prosecution shall be brought for any penalty or forfeiture under this Act, and any question shall arise whether the dues have been paid on such timber, or whether the said timber has been cut on other than any of the Public Lands aforesaid, the burden of proving payment, or on what land the said timber has been cut, shall lie on the owner or claimant of such timber, and not on the officer who shall seize and stop the same or the party bringing such prosecution.

11. And be it enacted, That all timber seized under this Act shall be deemed and taken to be condemned, unless the person from whom it was seized, or the owner thereof,

shall, within one calendar month from the day of the seizure, give notice to the seizing officer, or nearest officer or agent of the Crown Lands Office, that they claim or intend to claim the same; failing such notice the officer, or agent seizing or causing to be seized shall report the circumstances to the Commissioner of Crown Lands, who shall or may order the sale of the said timber by the said officer or agent, after a notice on the spot of at least thirty days; Provided always that it shall and may be lawful for any Judge having competent jurisdiction, whenever he may deem it proper to try and determine such seizures, and to order the delivery thereof to the alleged owner on receiving security by bond with two good and sufficient sureties, to be first approved by said agent, to pay double value in case of condemnation, which bond shall be taken to Her Majesty's use in the name of the Commissioner of Crown Lands, and shall be delivered up to and kept by such Commissioner, and, in case such seized timber shall be condemned, the value thereof shall be forthwith paid to the Commissioner of Crown Lands, or agent, and the bond cancelled; otherwise the penalty of such bond shall be enforced and recovered.

12. And be it enacted, That if any wilful false oath be made in any case where, by this Act, an oath is required or authorized, the party wilfully making the same shall be guilty of wilful and corrupt perjury, and be liable to the punishment provided for that offence; and any persons availing themselves of any false statement or oath to evade the payment of duties shall forfeit the timber on which duty is attempted to be evaded.

13. And be it enacted, That parties maliciously cutting or loosening Booms, or breaking up or cutting loose Rafts or Cribs, shall be guilty of a misdemeanor, punishable with fine and imprisonment of not less than six months.

14. Provided always and be it enacted, That nothing in this Act contained shall be construed as in any way invalidating or affecting licenses already granted or any obligation contracted for payment of dues under such licenses, or to invalidate or effect the lien of the Crown on any timber cut upon Public Lands now within the limits of the Province, and upon which the dues heretofore exacted have not been paid, notwithstanding any bond or promissory note which have been taken for the amount of such dues.

REGULATIONS.

Department of Crown Lands,
Montreal, 5th September, 1849.

Notice is hereby given that from and after the First of October next Licenses agreeable to the accompanying form will be granted, at all seasons, to cut timber on the vacant lands of the Crown, subject to the following conditions and regulations, sanctioned by His Excellency the Governor General in Council, in addition to the requirements of the Act, 12 Vict., Cap. 30:

1st. For the River Ottawa and its tributaries above Bytown, including the districts of Bathurst, Dalhousie and that part of the Midland District lying north of the townships of Bedford, Hinchinbrooke, Kennebec and Kaladar, applications are to be made in writing to James Stevenson, Esquire, Crown Timber Office, Bytown, and for other parts of the Province to the respective Crown Land Agents, distinctly describing the space or limits for which the license is required, and furnishing sketches when required, connecting with known points, and drawn to scale.

Size of Berths.

2nd. No timber berth or location will be licensed in unsurveyed lands exceeding 10 miles in length by 5 miles in depth, or exceeding an area of 50 square miles, and half that size in surveyed townships; in the latter case, the lots and concessions required will have to be specified, limits to be confined to one side of rivers wherever practicable. All licenses to expire on the 30th April following the date thereof. Consecutive limits may be held by the same individual.

3rd. The timber cut shall be paid for at the following rates:

Crown Dues.	White pine square timber	½d. per foot.
	Red " " "	1d. " "
	Basswood and cedar	½d. " "
	Oak	1½d. " "
	Elm, birch and ash	1d. " "
	Cordwood (hard)	8d. per cord.
	Cordwood (soft)	4d. " "
	Red pine logs, 12 feet long	7d. per log.
	White pine logs, 12 feet long	5d. " "
	Spruce	2½d. " "

Each stick of white pine to be reckoned as containing ..... 70 cubic feet.
Red pine ..... 38 " "
Oak ..... 34 " "
Elm, ash and birch ..... 34 " "
Cedar and basswood ..... 34 " "

Railway timber will be taken at actual measurement, provided it does not average more than half the regular size, or on the party exhibiting a contract and specifications for such timber corresponding to the timber in his raft.

All square timber, logs, deals, boards or other stuff made up into rafts or cribs, or leaving the district in any other form, to be submitted to counting or actual measurement whenever it may be deemed advisable.

Statements under oath to be furnished of the kinds and quantities of timber and logs cut and carried away.

4th. Applicants for license will be required to make a deposit of one-fourth of the duty on the quantity of timber to be made, which is to be estimated at the rate of 500 feet per square mile, or on the quantity proposed to be made, if greater, giving bonds with security for the remainder. No license to be estimated for less than 2,000 feet of timber. Saw log limits to be estimated as square pine timber.

Amount to be Cut

Applicants neglecting to comply with this condition within the period of three months in the Bytown Timber Office, and one month in any other agency, from the date of the receipt of their application, will lose the claim to the limits, which will fall to the next applicant. Deposits will in no case be returned, and only allowed in reduction of dues the first or second season after the date of the License, and not afterwards. Licenses granted on erroneous descriptions or sketches furnished by applicants may be declared null and void by the office, whenever deemed necessary, and parties carrying on operations under such licenses after being required to desist will be considered as trespassers and subject to the penalties of the Timber Act.

5th. Transfers of limits to be in writing and if not found objectionable by the Crown Lands Department or Timber Agent, to be valid from the date on which they may be deposited in the hands of the latter, but no transfer to be valid until after one year's actual occupation by the parties transferring them. It being however well understood that in granting Timber Licenses the Government contract no other obligation than that of allowing the party concerned to cut and carry away the quantity of timber mentioned in the license if found within its limits.

Transfers.

6th. Squatters or other occupants of land without authority cutting timber or saw-logs thereon without License (except for the necessary building or clearing and fencing) or others doing so by their permission, will be subject to the penalties established by law for cutting timber without a license. Timber cut on land being purchased, but not all paid for, to be collected by Government in part payment of the land.

Squatters.

7. Persons refusing or evading the payment of slide dues or duties on their Timber, or the final settlement of bonds for the same before giving it away, or in any default

with the office ;—also persons taking violent possession of disputed grounds before obtaining a decision in their favor, and parties refusing to comply with the decisions of Courts or of Arbitrators or the regulations of this Office—or who forcibly interrupt surveyors, shall be refused further licenses and their limits become disposable to others on the expiration of their licenses.

Claims to Renewal.

8th. Licentiates who shall have duly occupied their limits, and who shall have strictly complied with all the repuirements of the office, will be considered as having a claim to the renewal of their license in preference to all others, on their making application to that effect in writing, on or before the 31st May, and depositing the money and bonds required on or before the 30th September (excepting that for this season they will be received until the 31st December) failing which the limits to be considered vacant, and to be disposable by Public Sale on the 10th day of October following, or subsequently to the first applicant.

Proof of Occupation.

9th. Unless in seasons excepted by special notice, limits upon which the holder will make less than an average of 500 feet of timber, or 20 saw logs per square mile, or upon the entire extent of which (if less than four superficial miles) he will make less than 2,000 feet of timber, or less than 100 saw logs, shall be considered as not having been duly occupied, and will, after the former owner has had an opportunity of being heard in opposition, be granted to the first applicant pleading such non occupation, on or before the 31st May, and proving same by the Certificate of a sworn surveyor on or before the 31st July following. Should the statement on oath required by the Timber Act not be made when required, or should it show that the limits have not been duly occupied, a surveyor's certificate will not be required. Provided, however, that if 250 feet of timber or 10 saw logs are proved to have been made per square mile, the holder of the said limit shall be entitled to retain one-half of the same, which shall then be divided under the directions of the office at the expense of the former holder, into two equal halves of which the said holder shall have his choice, leaving the remainder to the new applicant.

10th. Parties having rivers to clear or other improvements to make to render their berths available, will be considered as having duly occupied the same, if they establish to the satisfaction of the office, having laid out in such improvements during the season a sum averaging at least £6 per square mile, and provided that the entire amount be not less than £24, even for the smallest limit.

Licenses to be Renewed.

N. B.—Present holders of timber berths under license will be entitled on the foregoing conditions to renew their licenses for the same, on sub-dividing such as may exceed the extent sanctioned by the present regulations, and making their applications on or before the 31st of May next ; but all renewals of licenses shall be subject to such modifications as may be found necessary to settle or obviate disputes.

FORM OF LICENSE.

By Authority of the Hon. the Commissioner of Crown Lands for the Province of Canada, and for and in consideration of the payments made and to be made to Her Majesty as secured by a bond of this date ; I do hereby give unto and unto Agents and Workmen full power and license to cut upon this Location described on the back hereof by and to hold and occupy the said Location to the exclusion of all others, except as hereinafter mentioned from to 30th April, 18 , and no longer, with the right of conveying away said timber through any ungranted or waste lands of the Crown.

And by virtue of this License, the said Licentiate has a right by the Provincial Statute 12th Vic. Cap. XXX, to all timber cut by others in trespass on the ground hereby assigned, with full power to seize and recover the same anywhere within this Province aforesaid. But this license is subject to the following conditions, viz :—

That any person or persons may at all times make and use roads and travel over the ground hereby licensed, and cut and take therefrom any trees necessary to make floats, traverses, oars and withes for use in rafting.

That nothing herein shall prevent any person or persons from taking standing timber of any kind to be used in making Roads or Bridges or for Public Works.

And that persons settling under lawful authority or title within the location, hereby licensed, shall not in any way be interrupted by the said Licentiate or any one acting for or by permission.

And further, under condition that the said Licentiate or representatives shall comply with all Regulations that are or may be established by Order in Council, and shall submit all the timber cut under this License to be counted or measured and settle for the duties chargeable thereon when required by me or any Officer thereunto authorized, otherwise the said timber will be forfeited to the Crown, and the said Licentiate be subject to such other penalty as the Act provides.

Given under my hand at , this day of , in the year of our Lord one thousand eight hundred and .

(Signed)

Collector of Crown Timber Duty.

It will be seen that the new regulations, while retaining the provision requiring the manufacture of a certain quantity of timber each year on every limit, did much to rectify abuses and prevent over-production by practically giving the license-holder a preferential claim to the renewal of his license, upon compliance with the conditions, and making the taking forcible possession of disputed territory and refusal to comply with the decision of courts or arbitrators punishable by the refusal of license. An attempt to remedy the unfairness of the mode of levying dues, by which the smaller-sized timber paid so much more in proportion than the larger sticks, is indicated by the somewhat elastic provisions of the third clause of the regulations providing for the counting or actual measurement whenever it may be deemed advisable. The provision calling for the manufacture of 500 feet of timber per square mile as a condition of occupancy, while theoretically objectionable, was hardly likely to work much practical injury to the trade, modified as it was by the saving clause under which it might be dispensed with for any season by special notice. The fact of it having been so suspended for two years previous to the adoption of the Act, in consequence of an over-stocked condition of the market, and that attention had been fully directed to its possible injurious effects if maintained during periods of business depression, rendered it comparatively innocuous for the future.

The essentially characteristic and valuable feature of this legislation was, however, the greater stability and permanence attaching to the lumberman's business and interest in the limit secured. By rendering him practically assured of a renewal of his license so long as he chose to comply with the regulations laid down from time to time, and equally secure in the possession and working of his limit, without having to maintain his claim by physical force against his rivals, it lessened the temptation to reckless over-production and unsystematic, wasteful methods of operation.

In 1851 a conspicuous advance was made by the issuing of new regulations, which, while framed on the same general lines as those of 1849, contained several new provisions of importance, aimed at some of the abuses that had been indicated by the investigation which preceded the Act of 1849.

The following are the regulations in full:

Province of Canada.

CROWN LANDS DEPARTMENT,

Toronto, 8th August, 1851.

NOTICE is hereby given, that from and after the date hereof, LICENSES agreeably to the accompanying form, will be granted, at all seasons, to cut timber, on the Vacant Lands of the Crown, subject to the following conditions and Regulations, sanctioned by His Excellency the Governor General in Council, by Order dated the

Seventh instant, in addition to the requirements of the Act 12th Vic., Cap. 30. And the Regulations of the 5th September, 1849, and 15th March, 1850, are hereby superseded.

1st. Applications for licenses to cut timber on the vacant Lands of the Crown on the River Ottawa and its tributaries from the Gatineau, and the Townships of Hull and Wakefield inclusively, upwards; and the Counties of Lanark, Renfrew and Carleton, and that part of the Counties of Frontenac, Lennox and Addington north of the Townships of Bedford, Hinchinbrook, Kennebec and Kaladar—are to be made to A. J. Russell, Surveyor of Crown Timber Licenses, Bytown; and in other parts of the Province to the respective Crown Land Agents.

2nd. Applications must be in writing, distinctly describing the space or stating the lots of land for which license is required, the applicants furnishing sketches of the limits asked when required, connected with known points, and drawn to scale. No timber berth shall be licensed in unsurveyed lands, exceeding ten miles in length, by five miles in depth, nor exceeding an area of fifty square miles, and half that size in surveyed townships, in the latter case the lots and ranges to be stated—berths to be confined to one side of rivers, wherever practicable. All licenses to expire on the 30th of April following the date thereof. Consecutive berths may be held by the same individual.

3rd. The timber cut shall be paid for at the following rates, viz:

Oak and Walnut per cubic foot	1½d
Red Pine, Elm, Birch, Ash and Tamarac	1d
White Pine, Basswood, Cedar, Spruce, etc.	0½d
Red Pine Saw Logs, 12 feet long, per log	7d
White Pine do. do. do.	5d
Spruce do. do. do.	2½d
Cord Wood, (hard) and Lath Wood per cord	8d
do. (soft) per cord	4d

Each stick of White Pine to be reckoned as containing 70 cubic feet.

Each stick of Red Pine to be reckoned as containing 38 cubic feet.

All other kinds of wood as containing 34 cubic feet.

Railroad timber to be taken at actual measurement, provided it does not average more than half the regular size, or on the party exhibiting a contract and specification corresponding with the timber in his raft.

All Saw Logs cut in future upon Public Lands, if exported from the Province, shall be paid for at double the rates mentioned above respectively.

4th. All Square timber, Logs, Deals, Boards or other Stuff leaving the Agency in which it is cut in any form, must be submitted to counting or actual measurement whenever required and statements under oath must be furnished of the kinds and quantities of timber and logs cut under each license, when required by the Agent for the granting of licenses, or other authorized person.

5th. Parties cutting timber on Public Lands, before moving any raft or parcel of timber (whether cut on Public or Private lands) from the Agency in which they held license, shall make report thereof to the Collector of Crown Timber Dues or Agent; making, if required, declaration upon oath as to the number of pieces of each kind of wood in each raft or parcel, and the number of cribs; whereupon they shall obtain clearances from the Collector or Agent, stating the number of pieces in each raft—how many, if any, have been satisfactorily proved to be from Private Lands, and on how many, if any, the duties have previously or then been paid; and on the arrival of any such raft or parcel of timber at Quebec, or at any intermediate place or other port, for sale or shipment, the owner or holder of it shall make report thereof within forty-eight hours to the inspector of Rafts, Deputy Supervisor of Cullers, or other appointed officer, and in addition to the quantity shewn by the clearance as subject to duty, any surplus timber beyond the number of pieces stated herein, on being ascertained by the Inspector of Rafts, Deputy Supervisor of Cullers, or other authorized officer, shall be held as having been cut upon Crown Lands, and be subject to the payment of duties accordingly.

6th. Parties omitting to report the departure of their rafts or other timber from the Agency in which they held license, or the arrival thereof at Quebec, or other port or place for sale or shipment within the Province, as before mentioned, shall be refused further license, and be subject to the forfeiture of the timber for evasion of regulations, as provided in Section 3rd of 12th Vic., Cap. XXX.

7th. Hereafter on the issue of License to cut timber on Public Lands, a Ground Rent of Two Shillings and Sixpence for every superficial mile licensed, shall be exacted in addition to the established duties ; and the deposit on account hitherto levied shall be discontinued. The Ground Rent shall be computed on the nearest approximation to the real areas of the timber berths, but on no license shall it be less than One Pound currency ; and no claim for reimbursement of ground rent over calculated will be entertained after the issue of license.

8th. The ground rent to be exacted on the renewal of license shall be double that of the previous year if the berth has not been duly worked upon—increasing annually in that proportion while unoccupied, (excepting the year succeeding that in which the license has been first issued, if not in a surveyed township) ; reverting to the original rate on the berth being duly occupied ; and the making of 500 feet of square timber or 100 saw logs per square mile shall be considered as due occupation.

9th. No timber berth shall be forfeited for the non-occupation of it, provided the increased ground rent on that account be duly paid ; but berths on which any increased ground rent is evaded by false statements as to occupation shall, (after the former holder has had an opportunity of being heard in opposition) be granted to the first applicant pleading such evasion and non-occupation on or before the 31st May, and proving the same by the certificate of a sworn Surveyor, on or before 31st July following. If half occupation only be proved, the former holder may retain one half of the berth after it has been equitably divided in the opinion of the Agent.

10th. Vacant berths are to be granted to the first applicants and be described in the licenses as—"not to interfere with prior licenses existing, or to be renewed in virtue of Regulations," but applicants for vacant berths must call for license and pay the required Ground Rent (giving satisfactory security for the payment of all duties that may accrue under the license) within three months of the receipt of their applications in the Bytown Timber District, and all other parts of the Province where the lands are not laid out into Townships or otherwise surveyed for settlement, and within one month in those portions of other agencies where the lands are surveyed or otherwise laid out for settlement ; otherwise their applications will be void and the berths be grantable to the next applicants in succession. Ground Rent received to be returned to the applicant, should it be found that the berth asked cannot be made good to him.

11th. Licentiates who have complied with all the regulations, will be entitled to renewal of the licenses for their berths in preference to other applicants for them, if they apply in writing for such renewal before the 1st of June next ensuing their previous license, and comply with the conditions mentioned in last clause before the 1st November following ; failing which, the berths they held will then become vacant and will be offered for sale on 10th November following to the highest bidder making immediate payment, and if not then sold, will be granted to the first applicant thereafter as usual.

12th. When two or more applications are received at the same time for the same ground, it shall be divided between the parties by lot,—should any of them wish it to be so, otherwise the right to the whole is to be determined by lot. But on Rivers, where the cost incurred for surveys or other causes may render it suitable, the preference to license for timber berths may be disposed of at such upset price as the Commissioner of Crown Lands may direct, and be awarded in whole, or in part, to the highest bidder at Auction making immediate payment, in case of clashing applications of equal right.

13th. In the Bytown Timber District, and all other parts of the Province where the lands are not laid out into Townships or otherwise surveyed for settlement, when an applicant has been obstructed for a month or more by a prior application —(for the same ground)—that has become void, he is to be allowed one month in addition to the stated

period to take cut license, provided he applies in writing for such extension of time, within three months after the receipt of his application for license, and in those localities where, by the 10th clause of these Regulations, one month is the period for which an application is held good, ten days only shall be allowed in addition, in case of ten days or more of obstruction.

14th. When an application cannot be decided upon till the result of some pending survey be known, or till it be projected, the applicant is to be allowed three months in the Bytown Timber District, and all other parts of the Province where the lands are not laid out into Townships, or otherwise surveyed for settlement, and one month elsewhere, to take out license, after the notification of the result, if in his favor, has been sent to his address; and when the explorations necessary for the preparation of the sketches required by these Regulations cannot without serious loss be effected without an extension of time, it may, on written application, be granted. Licenses granted on erroneous descriptions or sketches furnished by applicants, are to be subordinate to subsequent accurately described licenses, and may be cancelled in whole, or in part, whenever deemed necessary; parties persisting in working under such licenses, after being required to desist, will be trespassers and subject to penalties as such.

15th. The Surveyor of Licenses, and the other Crown Timber Agents, shall keep registers of all applications for berths, licenses granted, and transfers thereof, which, with their plans of licensed limits and vacant ground, shall be open for public inspection; but no applicants shall be entitled to explanation as to applications subsequent to his own, for the same ground.

16th. The Surveyor of Licenses at Bytown and Officers thereunto authorized elsewhere, shall, at the written request of any party interested, issue instructions stating how the boundaries of timber berths should be run, to be in conformity with existing licenses. The surveys are to be performed at the expense of the parties requiring them, but the plans, reports and field notes thereof will be paid for and kept of record by the Surveyor of Licenses or Agent on their being examined and approved by him.

17th. In all cases of contestation as to the right to berths or the position of bounds, the opinion of the Surveyor of Licenses at Bytown, or Agent for granting licenses elsewhere, is to be binding on the parties, unless and until reversed by arbitration, within three months after notification of such opinion has been communicated to the parties (or their representatives on the premises, or sent to their address) or by decision of Court.

18th To prevent delay and disputes as to arbitrators, it shall only be necessary for the party thinking himself aggrieved by such opinion, to notify in writing to the officer who has given it, his dissent, and the arbitrator he has appointed; it shall then be the duty of the Surveyor of Licenses, or other authorized officer, to take the place of the arbitrator on the other part, and in the case of their not agreeing to an umpire, should one be required, the Commissioner of Crown Lands shall appoint one, at the joint expense of the parties, on the request of either of them, or either of the arbitrators.

19th. Transfers of berths to be in writing, and if not found objectionable by the Crown Lands Department or agent for granting of license, to be valid from the date on which they may be deposited in the hands of the latter; but no transfer to be valid till after one season's actual occupation by the party transferring them.

20th Squatters or other occupants of land without authority, cutting timber or saw logs thereon without license (except for clearing, building or fencing thereon) or others doing so by their permission, will be subject to the penalties established by law for cutting timber without license.

21st. Persons refusing or evading the payment of Slide Dues or duties on their timber, or the final settlement of bonds for the same before giving it away, or in any default with the Crown Timber Officer or Agent; also persons taking violent possession of disputed grounds before obtaining a decision in their favor, and parties refusing to

comply with the decisions of Courts, or of Arbitrators, or the regulations established by Order in Council, or who forcibly interrupt surveyors, shall be refused further licenses, and their berths become disposable to others on the expiration of their licenses.

22nd. The Collector of Crown Timber Dues or the officer in charge of the Bytown Timber District, may authorize any of the local Crown Land Agents to collect the duties on any timber or saw logs cut under license for local consumption or that may be sent to market, otherwise than by Bytown; and all such Agents whose Agencies, or any part of them, may be within or adjoining the Bytown Timber District, are authorized to seize any timber or saw logs cut without license within or passing through their Agencies, on the proceeds of which they shall receive their usual percentage for collection.

23rd. Licenses are to be granted on the annexed form. The clause at the foot thereof must be signed by Licentiate's Securities in place of the bonds formerly taken, and the description of the berth is to be written on the back of the license.

FORM OF LICENSE.

By authority of the Provincial Statute 12th Victoria, Chapter 30, and Regulations dated Eighth of August, 1851, and for and in consideration of the payments made, and to be made to Her Majesty:—I DO HEREBY GIVE UNTO and unto Agents and Workmen full power and license to cut upon the location described on the back hereof by and to hold and occupy the said location to the exclusion of all others, except as hereinafter mentioned:—from to Thirtieth April, 18 , and no longer; with the right of conveying away the said timber through any ungranted or waste Lands of the Crown:

And by virtue of this License the said Licentiate has right by the said Provincial Statute to all timber cut by others in trespass on the ground hereby assigned, with full power to seize and recover the same anywhere within this Province aforesaid.

But this License is subject to the following conditions, viz.:

That any person or persons may at all times make and use roads upon, and travel over the ground hereby licensed, and cut and take therefrom any trees necessary to make Floats, Traverses, Oars and Withes for his or their use in rafting.

That nothing herein shall prevent any person or persons from taking standing timber of any kind to be used for the making of roads or bridges, or for public works.

And that persons settling under lawful authority or title within the location hereby licensed, shall not in any way be interrupted by the said Licentiate, or any one acting for or by

And further, under condition that the said Licentiate or representatives shall comply with all regulations that are or may be established by Order in Council, and shall submit all the timber cut under this license to be counted or measured, and settle for the duties chargeable thereon, when required by me or any other officer thereunto authorized, otherwise the said timber will be forfeited to the Crown, and the said Licentiate be subject to such other penalty as the Act provides.

GIVEN under my hand at this day of in the year of Our Lord one thousand eight hundred and

Ground Rent.....£

☞We have read and comprehend the nature of the obligations contained in this License, and we bind ourselves jointly and severally, and each of our Heirs, Executors, Curators and Administrators, to pay all duties that may become due and payable to Her Majesty, Her Heirs or Successors, on any timber cut or acquired by virtue of this License in the event of the above named Licentiate failing or refusing to pay the same, or to give satisfactory bonds for the payment thereof.

The principal change in the system created by the regulations was the imposition of a ground rent, a measure almost universally favored by practical lumbermen as the best means of preventing the monopolization of unworked limits. The deposit on account of dues was discontinued, and in case the comparatively small ground rent should be insufficient to prevent licensees holding their limits from year to year unoccupied, as might easily be the case should the limits be specially valuable and the market dull, it was provided that the ground rent should be doubled for every year that the limits remained unworked. The general principle of disposing of timber berths by grant to the first applicant, giving previous occupants who had complied with the regulations the preference, was left undisturbed. But a particularly significant modification was introduced by the 12th clause, providing that upon rivers where the cost of surveys rendered it advisable, preferences for licenses might be disposed of at an upset price fixed by the Commissioner of Crown Lands, and in the case of competition awarded to the highest bidder at auction. This is an important extension of the principle adopted in 1842, and an advance towards the adoption of the auction system as it now exists.

Penalty for not Working.

Auction System Extended.

Another noteworthy change in the law, interesting in view of the importance attaching to the same question in the course of recent legislation and diplomacy, was the provision that all saw logs cut upon public lands, if exported from the Province, should be paid for at double the ordinary rate. This subject had been brought to the attention of Parliament during the session of 1851, when on the 22nd of May petitions from N. McKinnon and other lumbermen and mill-owners of Bayham and surrounding townships, and from the municipality of Bayham were presented, asking for an export duty on unmanufactured pine logs and timber designed for foreign markets. The county of Middlesex also petitioned for measures to prevent the exportation of pine logs. On the 2nd of June the Hon. Mr. Sherwood brought the matter up by an inquiry of the Government as to whether they intended to propose such a duty, or to take any other steps to protect the timber manufacturers of the Province against the injurious practice, on the part of American citizens, of securing Crown Lands at a low rate for the purpose of cutting timber to be manufactured in their own country. Hon. Mr. Hincks' reply was to the effect that it was not the intention of the Government to propose an export duty on saw logs, but that steps had been taken to prevent the destruction of timber on the Crown Lands. The embodiment in the regulations of the clause respecting the double duty on saw logs cut for export was no doubt the result of this agitation, which appears to have excited very little public interest beyond the circle of those immediately concerned in the trade.

To Prevent the Export of Saw Logs.

The beneficial effects of the more stringent policy inaugurated by the new regulations, were not long in manifesting themselves. There was an immediate and considerable increase in the revenue from timber licenses. The proceeds of timber dues were £22,270 in 1848; £24,198 in 1849; £24,728 in 1850, and £30,318 in 1851. In 1852, the first year in which the new regulations were in operation, the total receipts from timber licenses and duties went up to £53,013, of which £7,656 represented ground rents. This increase, moreover, accrued in spite of the reduction by one-half of the rate which had previously been levied on red pine. The trade in that article had for some years been declining in volume, and the timber decreasing in price, while the white pine, formerly considered as of secondary importance, had met with increasing appreciation in the British market. Under these circumstances the distinction made by the tariff of rates, which fixed the duty on red pine timber at one penny per foot, while white pine only paid one-half penny, was felt to be an injustice and an anomaly. Petitions from the corporation of Bytown and the municipal council of Carleton County, among others were forwarded to the Government, praying for a reduction of the Red Pine duty. Hon. John Rolph, the Commissioner of Crown Lands, in a report on the subject, dated July 24th, 1852, dealt fully with the changed conditions of the lumber export trade and the causes resulting in the supremacy of Canadian white pine as our staple forest

Increased Revenues.

Red Pine Values.

product. His presentation of the matter is of general interest, apart from the immediate object of the inquiry, in its relation to the new phase entered upon by the lumber industry in response to the altered demands of the British market. After noting the representations of the petitioners that from time to time, when the Imperial differential duty was reduced below 24s. per load, the export of Canadian red pine began to diminish and their apprehensions, that the continued decline in the trade threatened its utter extinction unless the heavy charges to which it was subject were reduced by equalizing the duty with that on white pine, the report continued:—"It appears that the rates levied upon the respective kinds of timber were adopted under circumstances very different from what now exist. At a period not very remote, white pine, the staple product of the forests of Canada, did not bear a very high character in the British markets. On the other hand, red pine, which is the staple product of the forests of Northern Europe, was highly esteemed. The result was that the heavy duty on foreign timber enhanced the price of that article, of which the supply was obtained mainly from the Baltic, and while the greater quantity obtained from thence regulated the price, the limited supply obtained from Canada was favored by a difference at one time of more than 1s., and until lately of more than 6d. per foot, even the latter being much more than the difference in freight.

White Pine in Favor.

"Of late years, however, the White Pine of Canada has been found, for many purposes, a better article than red, and has acquired a higher character than it formerly bore, the result of which has been that while the export value of the Red Pine in Quebec has been diminished by the withdrawal of the artificial price formerly created for it, the value of White Pine has become gradually enhanced by a better appreciation of its qualities.

"It is indeed to be hoped that Canada will, upon the whole, be a gainer by the changed aspect of the trade. It may seem strange that a higher value should be attached to a highly taxed article, merely, as it were, by reason of its extra price, but it is a remarkable fact that, as the price of a highly taxed and highly priced article was lowered by the removal of the unjust impost upon the consumer, the comparatively untaxed article, till then cheap, became better appreciated as it became subject to a more equitable and fair competition. When the colonial timber trade was 'protected,' the species of timber which Canada and New Brunswick only could supply in abundance was cheap, and in proportion to its price was considered of little value, but when left to fair competition, it has risen in the estimation of the consumer to an extent equivalent to the loss sustained upon that species of timber which had really been enhanced in value by the differential duty."

The report refers to the statistics presented in the memorial of the County of Carleton as evidencing the serious and permanent character of the depression in the export of red pine, which are as follows:—

	Export.	Price (40 feet average).		
		s.	d.	
1844	4,699,149	1	0	per foot.
1845	5,182,320	1	0	"
1846	5,206,040	0	11¾	"
1847	4,466,520	0	9	"
1848	4,365,440	0	8½	"
1849	4,070,600	0	8	"
1850	3,586,844	0	8	"
1851	3,482,400	0	8	"

White versus Red.

The report went on to point out that the then existing rates of duty levied upon red and white pine, apparently established in 1829, has been maintained through all the mutations of the trade since that period without modification. Though no statistics were available to show the relative value of red pine at that period, yet at a much more recent date the average market value was at least double the value of white pine and therefore justly subject to the higher duty. It still bore a higher value in Quebec market than white pine, but it also cost more to bring it to market, considering which it was doubtful whether red pine bore

even as high a value as white when growing in its natural state. It was of much smaller average size and consequently required a greater amount of labor to produce in a marketable state an equal quantity of cubic feet. The red pine producing country lay at a greater average distance from the market, increasing the cost of transportation, and the average level of the red pine country was higher than where the white pine was principally produced, consequently there were greater obstacles and more expenses incurred for slides, dams and other improvements to enable it to be floated. The heavier charges to which the production of red pine was subject, were therefore regarded as fully equivalent to any difference in the market price in its favor and reducing its value as a standing timber to a par with the white pine.

The Commissioner estimated the loss to the revenue for the current season by the proposed reduction at £4,166 13s., but stated that the amount would be more than made up by the stricter enforcement of the law, and the prevention of frauds by which timber had escaped the payment of duties under the false pretence of being from private lands. The report concluded with the recommendation that in consideration of existing circumstances of the trade the prayer of the petitioners be granted and the duty on red pine be reduced to one half-penny per cubic foot. An Order in Council to this effect was accordingly issued on the 14th of September following.

Exports.

In connection with this subject the following figures from a return of the quantity of timber measured through the Supervisor of Culler's office at Quebec for the years 1845-52 are of interest as showing the relative importance of white and red pine at that period :—

Year.	White Pine.	Red Pine.
	Feet.	Feet.
1845	19,141,982	4,444,515
1846	24,662 815	5,183,307
1847	12,074,708	6,516,922
1848	7,132,127	4,223 952
1849	11,924,198	3,797,584
1850	14,388 593	2,121,316
1851	15,487,180	3,189,657
1852 to Sept. 30	26,364,464	1,857,333

During the session of 1854-55 Mr. Carter introduced a bill to protect the forest and to prevent the setting of fire to the woods with the view of clearing lands. The measure was however dropped before reaching a second reading, probably in consequence of the appointment of a Committee of the House to investigate the whole subject of the management of public lands. On the 16th October, 1854, the House of Commons adopted the following resolution :—

"Resolved, that a select committee composed of Mr. Galt, the Hon. Mr. Morin, the Hon. John Sandfield Macdonald, the Hon Mr. Hincks, the Hon. Mr. Rolph, Mr. Lemieux, Mr. Jean Baptiste Eric Dorion, Mr. Langton, Mr. Ferguson, Mr. Fortier, Mr. Egan, the Hon. Mr. Merritt, and Mr. Cauchon, be appointed to examine and report upon the present system of management of the Public Lands and the various dues arising therefrom, together with the present mode of selling, leasing and otherwise disposing of the same, to report thereon with all convenient speed, with power to send for persons, papers and records."

The evidence taken by this committee covers a great number of points in relation to the lumber trade and forest management. The tenor of many of the answers received to the questions submitted by the committee are full of suggestion regarding the problem as it presents itself to-day, and show that the various phases of the question were at that time becoming better understood and receiving more intelligent consideration than in the earlier days of the trade.

Loss of Timber Dues Through Squatters.

One of the most conspicuous abuses of the system to which frequent reference has been made, was the cutting of timber by settlers and squatters, either under the colorable title of purchase or otherwise. As has been seen the profuse granting of land far in excess of the requirements of settlement, prior to the outbreak of 1837, and the consequent low price of land for some time afterwards, brought about a state of affairs under which it was frequently cheaper to buy timbered areas outright for lumbering purposes than to pay the Government dues.

In later years the conditions of sale remained so exceedingly liberal that advantage was frequently taken of them to obtain possession of the land by payment of a small instalment of the purchase money for the sole purpose of exploiting the timber. Under the regulations for the sale of public lands which prevailed at the time of the enquiry, the price varied, according to location and character, from three to ten shillings per acre. In the case of the higher priced lands in Western Upper Canada the money could be paid by instalments covering a period of ten years, only one-tenth being demanded in cash. Although the regulations strictly prohibited the cutting of timber, except where necessary for building, fencing and clearing, they were in many cases set at defiance.

William Spragge, of the Crown Lands Department, in a letter to the committee, after recommending that all ordinary Public Lands in Upper Canada should be placed at a uniform rate of five shillings per acre, thus refers to the timber difficulty :—

"Of the purchase money it is desirable that a sufficient proportion shall be paid down, to guard against the land being plundered of its timber and then abandoned, which there is reason to believe is the course often pursued under the present system of one-tenth payments. Accordingly I would substitute payments of two-fifths, relieving the settlers from any further payment until the expiration of three years, by which term it may be assumed that from the produce of his land he would then be in a condition to pay a further instalment of another one-fifth.

"Before concluding this letter it becomes advisable to refer generally to the privilege of cutting and disposing of timber and other merchantable wood, previously to the land being paid for in full. For the reason that the present system of one-tenth instalment conveys by a payment to that extent a species of right to the land, or a claim, the weight of which others not concerned do not choose to dispute, and under cover of which it is understood parties in many cases despoil the land of its timber, notwithstanding the prohibition to the contrary, and having accomplished their object will, in those cases where the land is not of superior quality, probably make no further payments. It is suggested that a permit to cut timber and merchantable wood be given to purchasers, under the system proposed, upon their depositing with the local agent, upon obtaining such permit, the amount of duty in advance upon the quantity of timber to be specified therein; as authorized to be cut and removed, the amount so deposited to remain available towards the purchase in the event of the required quantity of land being duly cleared in the proportion and within the time prescribed and the conditions of the occupation fulfilled. But the amount to be forfeited if compliance with the terms of settlement be not rendered, and also any fraud or mis-statement as to the quantity actually cut to render void the permit and have the effect of cancelling the purchase, forfeiting such sums as may have been paid in on account of it, and rendering liable to seizure all timber and wood, particularly in the permit, or assumed to have been cut under its authority and which can be attached.

Settlement Difficulties.

"For the prevention and punishment of fraud, it is often found advisable to fence in by strongest regulations the public rights, and probably there is no description of property which requires to be so carefully guarded as the Public Lands and timber."

A. T. Galt.

Hon. Alexander T. Galt, who in his capacity as manager of the British American Land Company, addressed a letter to the committee, expressed himself in favor of the American system of selling the Public Lands at a low price for cash only. He regarded the denial of the right of the bona fide settler to sell timber as a hardship. "The plan adopted in my own management," he wrote,

"and which I think might be followed with advantage, is to require the party purchasing the timber to account for it at the usual rate of stumpage, and the amount is thereupon passed to the credit of the purchaser of the land."

Further observations made in this communication deal with a question, which was assuming prominence in connection with lumbering operations in consequence of the existing and prospective development of the export trade to the United States on a large scale. The adoption of the Reciprocity Treaty in 1854 securing the free exchange of the natural products between Canada and the United States, including "timber and lumber of all kinds, round, hewed and sawed, manufactured in whole or in part," stimulated considerably the growing demand in the United States for Canadian lumber. In proportion as the market for sawn lumber developed, the cutting of square timber, for long the leading branch of the industry, declined in importance and became less essential to the prosperity of the lumbering interest. The disadvantages of the square timber trade as compared with that of sawn lumber, more especially its wastefulness and the greater danger of forest fires involved by the debris and litter left in the woods began to attract attention. Hon. A. T. Galt's remarks on the question in the letter before mentioned are as follows:

The Reciprocity Treaty.

"The timber trade of Canada until the development of the American market, was almost confined to the export of square timber and deals. Apart from the indirect advantages of thus employing a large number of ships giving cheap passage to emigrants, I have always regarded the export of square timber as a profligate waste of one of the greatest sources of Provincial wealth. I believe it is at this day entirely unnecessary to enter into any argument to prove that the value of our forests to the country is precisely in proportion to the amount of labor expended in preparing the timber for market, and that therefore the more crude and raw state in which it is exported the less value the trade is to the Province.

Square Timber Wasteful.

"It must be conceded that it is most desirable to adopt such a policy as will cause capital, skill and labor to be most generally embarked in the trade, and this can only be done by holding out in the disposal of the timber, greater inducements to manufacture it into sawn lumber than into square timber, which latter wastes the finest portion of the wood, and represents the smallest amount of fixed capital and labor in its preparation.

"The importance of this distinction it appears to me, has never been sufficiently realized in the conditions under which timber limits have been disposed of. And I would strongly urge the consideration of it on the Committee with the view of their recommending such rates as may have a tendency to induce the export of timber in a manufactured state. One of two things must at present arise, either an inadequate rate must continue to be charged for saw-logs, or an absolute bonus must be given to encourage the manufacture of that class of timber which is least valuable to the Province.

"I regard the present rates charged by the Crown for timber, as generally much too low, and believing that an increase would fall, not on the trade, but on the consumer, I suggest an immediate and considerable advance, which, if it should have the effect of causing greater attention to be given to the manufacture of sawn lumber, would tend to the more rapid settlement and prosperity of the great Ottawa Valley. Undoubtedly the increase of our lumber trade with the United States, will be in the direction of sawn lumber, and it fully justifies the Government in seeking to obtain a price commensurate with the increased value of the timber."

Rates of Dues too Low.

Mr. Spragge, Chief Clerk of the Crown Lands Department, in a statement prepared for the committee, as to the cost of managing the public domain, with suggestions for changes in the direction of efficiency and economy, thus dealt with the question:

"There is yet a subject to which I will take leave to allude, entitled, I think, to special attention. Those who have taken a real interest in the timber and lumber trade of Canada will be in a position, provided they have given due attention to the subject, to

weigh the relative advantages of shipping the products of our forests in the form of squared timber, or in the more valuable and prepared form of deals and other sawed stuff.

An Official View.

In perambulating land where timber has been made, as the expression goes, it is impossible to be otherwise than struck with the enormous amount of valuable wood which the axeman separates from the stick of timber, which, by the process of squaring, he is fitting for exportation, and which remains where it was detached from the square piece, and in process of time uselessly rots upon the ground. A bend in the tree or any small defect, some distance up the trunk consigns all above one or the other to the same useless destiny of rotting upon the ground, which befalls the blocks which the axeman cleaves off, in reducing the round trunk to a square, and all but the superior trees and those which will make a piece of timber of a given length and square, remains unused.

"In cutting the short saw logs intended to be worked into deals, and other stuff manufactured in a saw mill, it is evident that the proportion of each tree, which can be converted into an article of export, may be estimated at fully three fourths more than could be rendered available for market by making the tree into hewn timber, and many trees rejected as unfit for timber, would cut up into saw logs, were the land divested of its timber trees for that purpose, instead of the other,—and I think it may be reasonably computed that an acre of white pine would bring back to the Province, when converted into deals and other sawed stuff, a return three-fold greater than if exported as hewn timber. With this of course the superior value of the cubic foot of sawn timber would have something to do. And again, it should be kept in view, the more extended employment conferred upon the laboring population in preparing for the foreign market the cargo of the ship freighted with sawn stuff, beyond that expended upon the freight of the timber-laden ship. Add to this the employment that mills afford to artizans, and the advantage to the farmer resulting from the greater home consumption of produce, induced by one system of export rather than the other; and sound reasons deducible from the various circumstances combined, will be found for fostering and encouraging the shipment of the produce of our forests, when prepared for exportation as deals, or other sawn stuff in preference to their being sent from the Province in the shape of timber.

Drawback Proposal.

"There is one way, which occurs to me, in which this seemingly desirable encouragement could be afforded, that is, by allowing a drawback to the shipper equal to one-third of the duty leviable When it is taken into account that the duty paid by the lumber merchant upon what he takes off from every acre (using up everything which he can prepare for export) is probably more than three-fold greater than would be paid by the timber merchant were he to make timber upon the same piece of land; from the circumstance that of necessity he rejects or wastes what the other had no difficulty in working up; the lumber merchant appears to have a species of right on his side to the mark of consideration for his branch of trade, which the allowance of a drawback would indicate.

"It is unfortunately too much a matter of certainty that what used to be designated our inexhaustible supplies of timber are rapidly disappearing, and sound policy would suggest that inducements should be offered for economizing that which still stands in the forest; and in addition to those which I have already named for the following among other reasons: The British capital invested in our railways, and in Provincial and Municipal loans, must ere long lead to an annual drain in very considerable sums in the way of interest and profit, and the large amounts hitherto yearly brought into the country and expended for military purposes being about to cease will, both the one and the other, tend to render it more difficult than ever to balance our accounts satisfactorily with Europe. To export all our products in a shape and form such as to increase their intrinsic value cannot but be a matter of the greatest moment; and I believe that in recommending the allowance of a drawback on deals and other sawn stuff I am advocating a measure worthy of serious consideration."

The differences between the Canadian and American systems of disposing of the timber were thoroughly discussed during the course of the investigation. The exposition of the methods pursued in the United States rendered it abundantly evident that whatever defects might exist in the Canadian system it was much superior to that of the United States in the matter of preventing the monopoly of natural resources by comparatively few individuals and securing to the public treasury returns in some measure proportionate to the value of the privileges granted.

The System in United States.

Jonathan R. White of the State of Michigan, explained to the committee the system adopted in the United States for the sale of public lands and timber as follows:

"The land districts, which are established by Act of Congress, having been surveyed, measures are taken for the sale of the lands by the appointment of a Registrar and a Receiver. The Registrar is supplied with all necessary information respecting the lands. He receives the applications and issues his certificates of application, but receives no money. The Receiver receives the money for lands, transmits it immediately to Washington with name of purchaser, in whose favor the patent at Washington is then transmitted to the Registrar of the land district for delivery. On the appointment of the Registrar and Receiver the lands are declared by proclamation of the President as open for sale, and a public auction is advertised to take place at the Registrar's office in the land district at the uniform, fixed upset price for all the public lands in the United States of one dollar and twenty-five cents per acre. Such lands as are not sold at auction are therefore open for sale to any applicant at the upset price. Neither at the first auction sale nor afterwards is there any limitation as to quantity that may be bought. The lands are all sold for cash. By Act of Congress of last year a graduated scale of prices has been fixed, whereby lands remaining unsold for a certain number of years may be disposed of at lower rates than one dollar and twenty-five cents. A party desirous of purchasing makes application in writing to the Registrar, who, in the absence of other claimants, issues a certificate in his favor, with which he proceeds to the Receiver and pays the purchase money."

No Limit to Quantity.

The following answers made by Mr. White to questions submitted by the Committee explain the working of the system as it affected the lumber industry.

"Will you state the mode in which timber is disposed of?" "The Government do not permit the sale of timber on public lands, and agents are expressly appointed to prevent depredation. The purchase of the land is the only mode in which timber can be obtained."

"Do you consider this a good plan?" "I do. It aids the sale of the lands, making them subject to taxation and encouraging the settlement of the country, also promotes the saving of the timber, which, under the stumpage system, will always be more or less wasted. The lands are generally fit for settlement after the timber is removed."

"Supposing the land to be of little value for agricultural purposes, would you still consider it expedient to sell the land and not the timber by stumpage?" "I would not. If the land be of little value except for the timber, it is the greater reason for selling it, especially as if sold the timber will be more economically applied."

The Canadian lumbermen and Crown Lands officials who gave evidence clearly pointed out the defects of the American system as set forth by Mr. White.

"I have read Mr. White's evidence," said David Roblin, an experienced lumberman, "and am decidedly of the opinion that the plan he proposes would at once place in the hands of the rich and opulent capitalist all the good lands of the Crown, or would lead to the formation of private companies for the purpose of purchasing the whole of them; once in the hands of wealthy individuals or companies they would immediately ask a large advance upon the cost and sell them on time to those that actually cultivate and improve the lands, and who have no other resource but to submit and to pay such fines as were demanded or seek elsewhere for more favorable terms to obtain a living for

themselves and families. * * * With reference to Mr. White's remarks respecting the disposal of timber on the public lands, it is quite evident that he knows very little of the subject upon which he speaks or of the amount of duties paid on timber here. He says it is even better to sell lands that are not fit for agricultural purposes than to sell the timber. Now take the plan which he proposes, viz., selling the land in the United States at 6s. 3d. per acre, and suppose these lands well timbered, it would take 150 feet of pine timber at ½d. per cubic foot (the government duties) to pay for an acre of land, about two trees to the acre of a very ordinary size, being only 75 feet average. Now it will be observed that if the Government only get duties on two trees to the acre they get this price with the land left, which is certainly worth something even should it be given to an actual settler. But the fact is one acre of good timbered land will afford on the average at least about five times the quantity above mentioned. His remarks on this score may be quite applicable to prairie lands, where little or no timber is to be found, but can never apply to lands where there are to be found 150 feet on an acre, and the price according to his estimate. I may add that I have only taken pine timber in the above calculation, which pays a much less duty than other descriptions such as oak, elm, etc."

Objection to American Plan.

Andrew J. Russell, Crown Lands agent at Bytown, urged that past experience was strongly against the uncontrolled acquisition of land in blocks. "Were such a blight," he said, "to fall on the lands fit for settlement on the Ottawa it would check the consolidation of the Province as an inhabited country, and be injurious to its unity and strength. For there, as the chief value of the land is in its timber forests, we know it would be for that it would be purchased by speculators; the soil would be little thought of. The lumbering which is causelessly complained of now would then certainly be the governing interest and settlement be entirely at its mercy. Government would have lost all control of the land which it now retains and the immediate interest of the speculator would overrule the interest of the Province. * * * The unconditional sale of lands could not possibly forward settlement more than the present system—would be advantageous to the speculators but fatally injurious to the revenue and might, by checking settlement, be injurious to the welfare of the Province."

How well-founded these objections to the American system were has been amply shown by the experience of later years. The alienation of extensive tracts of the public domain of the United States has not promoted economical methods of lumbering with an eye to maintaining the productiveness of the forests for the benefit of future generations. On the contrary it has resulted in large regions adapted by nature for tree-bearing, but otherwise unproductive, being stripped entirely of their vegetation with the object of realizing immediate profit and turned into barren wastes, while the fact that the ownership of the soil remains vested in private hands is a serious obstacle to such comprehensive plans of reforestation as in the light of the increased knowledge of the subject and the urgent necessities of the case might otherwise be undertaken. In those instances where it is sought to accomplish something in the direction of setting aside forest reserves, the State governments either find their schemes confined within narrow limits or rendered abortive by the conflict with vested rights which should never have been accorded, or find themselves compelled to repurchase at a heavy cost the lands necessary for their purpose.

Private Ownership.

The evidence of several of those who testified before the committee shows that practical men at that time realized the desirability of maintaining permanently in timber the non-agricultural regions and understood that the principal danger to the stability and permanency of the lumbering interest was the opening up for settlement, or the toleration of squatters upon the lands especially adapted for forest reserves. Criticising an observation made by Mr. Sprague, Mr. A. J. Russell said "he is also mistaken in saying that the lumber trade is but a temporary branch of trade of which a few years more will probably see the end. In the region of which he speaks the quantity of arable land is compara-

Early Forestry Advocates.

tively small, much must forever remain a forest country, of which its timber will continue a staple all the more valuable for its becoming scarce elsewhere and will continue to give an increased value to farm produce there. * * * It is not desirable to have forest tracts wholly unfit for settlement surveyed into sub-divided townships. The expense is lost to the public and the sub division offers facilities for the plundering of timber from the adjoining Crown Lands under the pretence of settlement on the lots purchased by them (unless duties be levied as I propose on all timber from lands in future sold). It also offers some temptation for settlers to occupy inferior lands where they cannot afterwards prosper, for the temporary profit of the timber, and where the fires they occasion in burning choppings at unsuitable seasons certainly increase the destruction of the standing forests. As to the protection of the public domain from fire, I am afraid but little can be done. The sale of forests to private individuals would have but little effect that way, for the license holders have now already as great an interest in preserving the timber as if they were proprietors. The only practicable measures I can think of are, to enforce the law against burning brushwood during the season when danger is greatest from fire, making the offence a misdemeanor punishable by fine and imprisonment and giving a reward to informers. The injury to settlements as well as to the public forests on the Ottawa would justify additional rigor. And the discouragement of the practice of squatting in the timber forests, which would be best effected by surveying and throwing open for settlement at a low price such tracts of land only as are really fit for cultivation. Especially endeavoring to draw settlers of all kinds back into the hardwood country on the headwaters of the western tributaries of the Ottawa, by the opening of practicable roads and a survey of a sufficient quantity of land there for settlement. Giving no encouragement to settlement in the timber tracts, except where necessary for the maintenance of roads unavoidably leading through them to a better land."

Bogus Settlers.

Forest Lands to be Surveyed.

William Hamilton, lumberman, in reply to a question as to the prevalence of forest fires and the best method of preventing them, said:

"The most certain way of preventing the destruction of timber by fire is that Government should put a stop to squatters entering into the land of the Crown (either surveyed or unsurveyed) without the consent of either the nearest local agent or that of the Government, as there is sufficient land of equal, if not better, quality unoccupied in the front townships. The only cause of destruction of timber has arisen from such settlers and I am satisfied that there is annually destroyed as much, if not more, timber by fire by such settlers than arrives in the Quebec market yearly."

The following extract from the evidence of James Henry Burke of Bytown, sets forth very clearly the mutually advantageous relations existing between the lumbering and the agricultural interests, and also emphasizes the view more positively and comprehensively brought out during the course of this investigation than in any previous treatment of the subject, that a radical and essential difference in the administrative system in dealing with agricultural lands and non-agricultural lands respectively, was not merely warranted, but necessitated to insure justice to both these interests. The weakness of the American method, or any system that approximates to it, in including non-cultivatable forest-covered land in the same category as soil capable of profitable tillage, is that in treating the timber as a mere appendage to the land, instead of a feature giving a distinct and specific character to the region producing it, the interests of the public and posterity are almost certain to be sacrificed to the immediate profit of the purchaser.

To the question, "What effect has the present system on the preservation of the forest, and on the settlement of the waste lands of the Crown?" Mr. Burke replied: "I think the present system has a tendency to conserve the pine timber, to spread a local market for the produce of the backwoods settler over the longest space of time, without which the settlement of several hundred square miles of your best territory can scarcely be made. We have an immense fertile territory stretching westward from Bytown to

Lumbering—An Aid to Settlement.

Lake Huron, and north-westward from Nipissing to Lake of the Woods, which, as a whole, is no way inferior to an equal area of some of the Eastern States of the Union. But our territory is a wilderness. In the centre of the country named lies the timber fields of the Ottawa, at present yielding their first crop, which goes to build up the cities of the east and west. Nature has so arranged it, that this pine-producing territory does not possess a fertile soil. Were it such, the axe of the settler would destroy the timber required to make the western prairies inhabitable, or to spread the comforts of civilized life over the forestless isles and continent of Europe. This pine territory has its allotted end, and will subserve; perchance beneath those far-stretching forests repose rich mines of metal to tempt man's arm to delve the earth when the dark green canopy, which shuts out sunlight, has disappeared.

"But mark this coincidence; surrounding this pine territory and contiguous to the great lumber fields, is the large area to which we have alluded, possessing a fertile soil and timbered with hardwood. This timber has not the commercial value of pine, and its destruction is not a national loss. This land is destined to sustain a large body of agriculturists in close proximity to the great timber making centres. It enables us to raise the grain, fodder and provisions, consumed in timber making, from eighty to ninety miles nearer the ground of consumption than we now do. While the lumber trade flourishes in pristine vigor population should be introduced, but let us not be understood to encourage the wanton, foolish and insane policy of the Crown Lands Department in surveying a township where nothing but pine and rock exist, or where to get a thousand acres of habitable land, settlers may be thrown in to spread fire and havoc through the pine forests; we go for keeping a fair line of separation between the lumbering and agricultural regions, as nature has laid it down. The whole bulk of the produce consumed in lumbering above Bytown is moved a distance of one hundred and two miles, we can shorten this distance materially. The moving of these supplies costs nearly fifty thousand pounds per annum—it is so much thrown away. Were the lumber market cut off from the people who now command it, immediately after our railways now in hand are completed, the country would be no loser. When good communication with the eastern seaboard exists and the Reciprocity Treaty secures our equality with the Americans in their own markets, we can afford to leave the lumber market to an interior population. The sooner that market is supplied by the soil west of the seventy-seventh degree of longtitude, the better for the country. All grain grown east of that will find as profitable an outlet to the eastward. To arrive at such a state of things we want a population of eighty or one hundred thousand additional souls laboring the productive soil of the interior, and to have this we must encourage immigration."

"What means would you suggest for the preservation of the forest from fire?"

To Prevent Fires.

"Survey no townships on which the soil fit for farming purposes does not bear a certain proportion to the pine-covered soil, which in most cases is unfit for settlement, permit no isolated scattered settlers to locate amidst the pine forests, and forbid by general law, or municipal regulations, the burning of brush, etc., between the 4th of June and 4th of September."

The report of the Select Committee was made on the 18th of May, 1855, the two first paragraphs of which are as follows:

"That owing to the varied and extensive character of the subject referred to your committee, and the very important interests liable to be affected by such changes as might be recommended, it has not been possible to obtain sufficient evidence to warrant your committee in arriving at a definite conclusion and general report on the matters referred to them. They are, therefore, obliged to report the evidence obtained to your Honorable House, accompanied by the unanimous expression of their opinion, that important modifications of the present system are imperatively required, and they, therefore, recommend that the subject with the evidence herewith submitted, be again referred to a Select Committee of your Honorable House at the next meeting of Parliament.

"With reference to the disposal of timber on the public domain, your committee strongly recommend, that no change whatever be made in the terms upon which

present limits are held, pending the final decision of your Honorable House in reference to this most important question, as it is their unanimous opinion that, until the system is determined upon and regulated by Act of Parliament, a change of the present regulations would be detrimental to the public interests."

Ground Rent.

The ground rent system adopted under the Timber regulations of August 8th, 1851, was modified by an Order-in-Council of the 20th of August, 1855, providing "That the extreme amount of ground rent payable as a penalty, over and above the single rent in any case of non-occupation shall not exceed the minimum amount the berth would produce in duties (on square timber) if duly occupied according to regulations; but this limitation not to affect timber berths acquired since the ground rent system was in force by competition thereon, or other special regulation and not to imply but what the government may raise the rents or increase the duties, as the future circumstances of the trade may render expedient."

The terms of this Order-in-Council clearly indicate the determination of the Government to guard against any assumption that the purchase of timber limits subject to a ground rent conveyed such a vested right, either moral or legal as would preclude the imposition of new conditions or increased payments whenever it might be deemed advisable.

Regulations Subject to Change.

From the very outset the settled policy of the Crown in dealing with the holders of the timber licenses has been to maintain unimpaired the right of government to vary at will the terms upon which the limits were held from year to year, the claim of the licensee extending no further than the working of his limit under whatever regulations might be imposed, The continuous enjoyment of any franchise or privilege has always the tendency to create a vested right, unless the interests of the public are jealously safeguarded against such an implication, and it is fortunate that the position taken by Canadian administrations on this question has been sufficiently clear and positive to prevent the conditional usufruct of the lumberman gradually lapsing into practical ownership.

Up to this time there had been no regular official reports for the information of Parliament and the country as to the operations of the Crown Lands Department, details as to the proceedings of this very important branch of the public service being principally obtained in the form of special returns. On the 5th of May, 1856, on motion of Hon. A. T. Galt, the House of Commons adopted the following resolution:

Annual Reports

"Resolved, that it is the opinion of this House, that the Commissioner of Crown Lands should submit to this House an annual report upon the Department of Public Lands, made up to the 31st of December of each year; to be presented on the 15th of February following if the House be then in session or at the meeting of Parliament succeeding."

From the first annual report of the Commissioner issued in accordance with this resolution, for the year 1857, it appears that an Order-in-Council adopted in that year effected a change in the system of collecting ground rents, postponing the payment until the 30th of April.

The subject of the adequate protection of timber growing on private lands from spoilation or damage engaged the attention of Parliament during the session of 1860, resulting in the passage of "an Act for the further protection of growing timber," the main clauses of which are as follows:

Protection of Timber.

1. "If any person steals or cuts, breaks, roots up, or otherwise destroys or damages, with intent to steal or unlawfully carry away, or procures any person or persons to steal or to cut, break, root up, or otherwise destroy or damage with intent to steal or unlawfully carry away, any tree or sapling, standing, growing or being on the lands of any other, the injury done to such other person thereby being in amount more than ten dollars, every such offender being convicted thereof shall be guilty of a misdemeanor, and shall be punished at the discretion of the Court by fine, not exceeding the sum of one hundred dollars, or by im-

prisonment in any common gaol for a term not exceeding six months, or by both; and the said fine or any portion thereof, the Court may in its discretion award to the person injured.

2. "If any person receives or purchases any tree or sapling, trees or saplings, or any timber made therefrom, exceeding in value the sum of ten dollars, knowing the same to have been stolen, or unlawfully cut or carried away, such receiver or purchaser shall be guilty of a misdemeanor, and may be indicted and convicted thereof; whether the principal offender has or has not been convicted, or be or be not amenable to justice and shall be liable to the same punishment as the principal offender."

The remaining sections provide that the Act shall not affect any civil proceeding against the offender, or prevent the adoption of other criminal proceedings.

A more stringent measure was adopted, applicable to Lower Canada only, by which it was provided that any person found in a forest reserved for firewood, sugar-making or other purposes, or on any road in its vicinity, with any tree or part of a tree in his possession, might be taken before a justice of the peace and, in case of failing to satisfy the latter that he came lawfully by the property, fined not more than eight dollars over and above its value.

The report of the Hon. P. M. Vankoughnet, Commissioner of Crown Lands for the year 1859, presented in 1860, contains some interesting details as to the development of the system and the expansion of the lumber industry. The amount accruing due for ground rents, timber dues, and slide dues for four years were as follows:—

Increasing Revenue.

1856, $262,872; 1857, $289,839; 1858, $232,624, and 1859, $316,656, indicating a steady increase in the volume of the output. The Commissioner said concerning the adoption of the auction system:—

"Whenever there has been any demand for timber berths, and it was at all likely that any competition for them existed or would be excited, recourse has been had to the plan of disposing of them by public auction. This method has been attended with the best results in the St. Maurice territory where a sale was made last fall. Fourteen berths, containing an area of 572 square miles, were sold, realizing the sum of $2,569 for bonus and ground rent, besides the sum of $457.50 payable to the St. Maurice Road Fund. The bonus varied from $5 to $1,200. The berths were disposed of to practical lumberers, who are all working them this winter, thus restoring to the St. Maurice a trade which had departed almost entirely from it. This sale was made under regulations, different from those which had been previously in force in that section; a simple bonus, payable at the time of sale, in addition to the ordinary ground rent being called for as the measure of competition."

Auction Sale Results.

The fraudulent cutting of timber by squatters and pretended settlers continued to be a source of trouble to the administration in spite of all efforts to repress the practice. On this point the report said:—

"While every means at the disposal of the Government is employed to facilitate settlement, strong measures have been adopted, as the occasion presented itself, to check the inroads of individual speculators upon particular localities, under pretence of settlement, when in reality their only object has been to despoil the land of the timber. The Department has not hesitated to cancel sales thus obtained when the facts have been established. The holders of timber limits are often subjected to attacks of this description by parties who enter upon their limits, select the best timbered lots, and effect purchases of them, subject to conditions of settlement which they have no intention of fulfilling. This, though illegal, can no more be prevented, when parties are determined to infringe the law, than can stealing."

Land Sales to Speculators Cancelled.

The same abuse received a good deal of attention at the hands of the Department during the year 1860, when energetic measures were taken by the Commissioner to abate the evil. Previous regulations for the sale of public land had somewhat contributed to foster the abuse, for while the settler was permitted to cut down and burn any timber in

the course of clearing the land, if he sold any of it he became liable to be treated as a trespasser. The evident absurdity of such a regulation, coupled with the difficulty in enforcing it, naturally led to its being set at defiance and encouraged a spirit of lawlessness and antagonism to the authorities, which led to other inroads upon the forests. New regulations were issued under which the settler was allowed to cut and sell the timber growing on the lot purchased by him, provided the value of the timber was applied in payment of the purchase money due the Crown, and that conditions of settlement, including the building of a dwelling 16 by 20 feet, the clearance of five out of every hundred acres and actual residence for six months had been fully fulfilled. He was also required to take out a license and pay a fee of $4. In his report for 1860 Hon. Mr. Vankoughnet thus refers to the extent to which plundering of the public domain was still carried on :—

Settler's Timber to Apply on Purchase.

"As a further step towards legitimizing the lumber trade, I have found it necessary to put in force the existing laws of the country against trespassers in the public forests. Hitherto these forests have been treated in some sections of the Province as if they were public commons, where everybody might enter and cut and slash as he pleased. When seasons of partial prosperity in the lumber trade arrived, a great rush into the manufacture of lumber, and particularly of hewed lumber, generally followed, nearly always resulting in overproduction, and in overproduction, too, of a badly manufactured article. Instances have come to my knowledge this season of individuals of one section of the trade endeavoring to encourage this overproduction by entering into contracts for the delivery next summer of from 75,000 to 100,000 feet of timber, notwithstanding that the party who undertook to furnish it had no timber berth of his own, and relied only on trespassing in the public forest, or in fraudulently obtaining timbered lots out of a lumberer's license to enable him to fulfill his contract. To allow this trespassing to continue would be injurious to the general interests of the trade and of the country ; it would also be unfair towards the licensed lumberman who conforms to the law, and under its protection embarks his capital in making the many improvements necessary to enable him to get his lumber to market with advantage."

Trespassers.

After referring to the antagonism arising between settlers and lumbermen, the latter complaining of the inroads of settlers upon the best timbered lots within their limits, while the settlers advanced as a grievance that lumbered-over lots came into their hands depreciated in value, the report pointed out the obvious remedy against this continued clashing of interests :

"When any case of fraud on the part of a pretending settler has been established the Department has cancelled the sale and seized the timber cut on the land. In order, however, by more general action to do away as far as possible with the complaints alluded to, and to afford legitimate protection to both the interests mentioned, I have been endeavoring to effect discriminating and descriptive surveys with a view of ascertaining what lands are suitable for settlement, and what are not suitable, and what sections of the country may be reserved and advantageously laid off in timber berths."

Proper Surveys.

Another abuse which Mr. Vankoughnet undertook to reform was the delay in the payment of timber dues, which resulted in a considerable accumulation of indebtedness, and in some instances in fraud, on the Department. To put a stop to the practice the 30th November of each year was fixed as the day for the payment of all timber dues. All amounts then unpaid were charged with six per cent. interest, and it was provided that if not paid before the following 1st of July the license held by the defaulter was to be forfeited. No lumber of any kind was to be exported before the dues thereon were paid. To prevent the practice of shipping lumber cut by trespassers on the public domain to the United States, which was extensively pursued, the co-operation of the Finance Department was obtained. Previous to obtaining clearances all vessels having lumber on board intended for the United States were obliged to furnish the Collector of Customs at the port of shipment with a certificate from the Local Crown Timber Agent that the claim of the Crown on the lumber had been settled.

During the session of 1863 the lumber trade was again the subject of a Parliamentary enquiry. On the 15th of April the House of Commons adopted the following resolution:

Another Commission.

"Resolved, that a Select Committee composed of Mr. Dawson, Mr. Dunsford, Mr. McLachlin, Mr. Desaulniers, Mr. Haultain, Mr. Robitaille, Mr. McCann, Mr. Hooper and Mr. Scott be appointed to enquire into the state of the lumber trade in Canada, in relation to the settlement of the country, and the action of the Government in dealing with these interests respectively; to report thereon with all convenient speed, with power to send for persons, papers and records."

The time at the disposal of the committee was too short to enable them to go thoroughly into the subject, but they examined a number of witnesses and submitted some valuable evidence with a view to a continuance of the enquiry next session.

One point clearly brought out was the unsatisfactory working of the regulation permitting settlers to cut timber for sale on their lots, which operated as an inducement to settle upon land which was mainly valuable for its timber and not adapted for farming. The following conclusions were embodied in the report of the committee:—

"First in importance appears the fact that the existing law, under which the lumber trade of the Province in general is governed, has for several years back been continuously and systematically violated in the Crown Lands Department and an uncertain and ever varying action substituted for the fixed and definite provisions of law under the Statute.

"A former committee of this House, of which the Hon. A. T. Galt was chairman, in 1855, having had the subject under consideration reported as follows:—'With reference to the disposal of timber on the public domain, your committee strongly recommend that no change whatever be made in the terms of upon which limits are held, pending the final decision of your Honorable House, in reference to this most important question, as it is their unanimous opinion that until the system be determined upon and regulated by Act of Parliament a change of the present regulations would be detrimental to the public interests.'

"Your committee entirely concur in the above and would further recommend that whenever even any minor change in the regulations may be thought advisable, it should be published for at least three months before any Order-in-Council be passed to give effect to it, so that the trade may have an opportunity of being consulted in regard to the change contemplated.

"With regard to the supposed difficulties between the lumber merchants and the settlers it appears by the evidence that no diversity of interest exists, but that the trade complains, not of the actual settler, but of those who make a pretence of settlement to break up their limits and secure the timber to which the outlay of their capital has given value.

"The actual *bona fide* settler in like manner, finds the operations of the lumber merchant to his advantage, by reason of the roads constructed and the market for his produce thereby afforded. Your Committee are of the opinion that where such a complete community of interest exists, there need be no difficulty in arranging a system to the mutual satisfaction of both parties. And here again your Committee find that the want of any definite rule is the cause of misunderstanding. The Crown Land Department should divest itself of the power of dealing specially with cases as they arise, and provide and enforce a general system alike intelligible to them all.

"It appears from the evidence that settlement has been unreasonably pushed in some localities quite unfit to become the permanent residence of an agricultural population. Especially has this been the case on some of the Free Grant roads and adjacent country, lying between the waters of the Ottawa and Lake Ontario. Your Committee would refer to the evidence and recommend that the Government should, in all cases, ascertain positively the character of the country before throwing open any tract of land for settlement, so that such lands that are really not fit for profitable cultivation, may

not be thrown upon the market. There being considerable diversity of opinion among the witnesses in regard to some of the localities adverted to, it seems to the committee that the Government should have an examination made by some thoroughly competent and reliable officer, whose report would be available in any further consideration of this subject.

"Your committee would further suggest to your Honorable House, that it would be advisable, for the protection of the public forests of the Province, the commercial value of which is of such vast interest to the country, that a character of greater stability be given to the tenure of timber limits, providing of course against its being made any barrier to the actual settler on lands adapted for cultivation."

Tenure of Limits.

During the session of 1864 an attempt was made to complete the work of investigation begun by Mr. Dawson's committee in accordance with the suggestion embodied in the report. On the 17th of March in that year the House adopted a resolution appointing a Select Committee composed of eighteen members, with Hon. Mr. Cauchon as chairman, "to enquire into the causes of the rapid destruction of our forests, and the means to be adopted to prevent it, to consider the expediency of reserving as forests the extensive tracts of land which abound in exportable timber, but are unsuitable for cultivation; of enacting a Forest Law, and to suggest that system which in its opinion is best adapted to the requirements and conditions of the country." No report was ever made by this committee, the approach of the era of political storm and stress which immediately preceded Confederation, and the pressure of more immediate and exigent issues doubtless absorbing all the attention of the legislators.

In 1865 a change in the fiscal year came into operation, in accordance with which the Crown Lands and other departmental reports presented in 1866 covered the period from the 1st July, 1864, to 30th June, 1865, instead of coinciding with the calendar year. Hon. Alexander Campbell, Commissioner of Crown Lands, in his report for that year showed himself to be thoroughly alive to the necessity of an advanced forestry policy on the line of a strict discrimination between cultivable and non-agricultural lands, and the setting apart of the latter as permanent timber reserves. The following paragraph sets forth his views on the subject:

"The value of a very large area of our remaining public lands, as a pine country, is well understood and has not been exaggerated. The exports of the products of the Canadian forests for the seven years terminating 31st December, 1863, deducting timber imported, were valued at $73,004,312; the value of the products of agriculture consumed in the country I have no means of ascertaining, but the exports of such products during the same period, with a similar deduction, were valued at $49,951,961. Though much of it has been denuded of its valuable timber, it is the opinion of the best informed that a large area remains untouched; happily for the interests of the country, the pine exists on lands for the most part unfit for settlement. It needs a careful discrimination between pine lands exclusively and lands fit for settlement, to place it in the power of the Government to conserve this valuable source of national wealth. Should the whole of our uncultivatable lands be set apart, as I think should be done, as a pine region, and no sales made there, the land would, if the trees were cut under a system of rotation such as is now adopted in Norway and Sweden and in many of the German states, recuperate their growth of merchantable pine in cycles of 30 and 40 years, and pine growing might be continued and preserved for ages to come. In view of the future requirements of this continent and of Europe, and of the singular advantages Canada enjoys as a pine-producing country, I humbly submit that it is of the utmost importance that we should now take steps in this direction."

Reserves Advocated.

One result of the continued discussion of the subject and the inconveniences arising from growing scarcity of wood in the older settled portions of Lower Canada, was the passage of the following Act, applicable to that Province alone, which received the Royal assent on the 17th of September, 1865.

An Act to provide for the preservation of standing timber.

The Act of 1865. "Whereas in most of the old counties of Canada the inhabitants experience serious difficulty in obtaining wood for fuel and building purposes, and whereas it is advisable to profit by past experience, and to adopt measures while there is yet time, to prevent the inhabitants of new townships from being subjected to similar inconveniences; Therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Township Reserves. 1. Whenever it shall be expedient to erect into a township any certain extent of the waste lands of the Crown in this Province, it shall be the duty of the Commissioner of Crown Lands to set apart, in such township, a reserve of wood land, which shall form not more than one-tenth or less than one-twentieth of the superficial area of such township, and the limits thereof shall be fixed and defined at the time of the erection of such township, and the Commissioner shall, whenever he deems it expedient, make a reserve for a like purpose in all townships already erected and in which the Crown owns a sufficiency of wood land.

2. Such reserves may be in a single lot, or divided into several lots, according to circumstances.

3. And to provide for the difficulties which might arise respecting the rights and duties as between neighbors (*droits de voisinage, decouverts*, fences, ditches and all others) which the inhabitants residing on lots contiguous to such reserve might claim, the patents of the lots so situated shall contain a condition binding the proprietors, tenants and occupants of such lots, to renounce for ever any claim to all rights and duties as between neighbors (*droits de voisinage*), and a reduction may be made in the selling price of such lots in consideration of the disadvantages which might result from the preceding provision, if the Commissioner of Crown Lands deems it advisable.

4. The Governor in Council may transfer the control and management of every such reserve to such municipal or other authorities willing to undertake the same, as he shall think proper to select, and under such conditions as he shall impose.

5. Nothing in this Act contained shall have the effect of restricting in any way whatsoever, the rights, powers and privileges conferred by Chapter twenty five of the Consolidated Statutes of Canada.

Lower Canada Only. 6. This Act shall apply only to Lower Canada."

This Act was allowed to remain a dead letter, and no timber reserves were ever set aside under its provisions.. Here it may perhaps be advisable to depart from the chronological sequence of events relating to timber regulations and management in Canada, and follow up the course of legislation in regard to timber reserves in Quebec under Confederation. A short Act passed by the Quebec Legislature in 1875 provided that:—

Quebec Regulation. "It shall and may be lawful for the Lieutenant-Governor in Council upon the recommendation of the Commissioner of Crown Lands, to set aside certain portions of the forest lands of the Crown, vacant at the time, to remain forest.

"The territorties so set apart shall be reserved for the production and culture of timber, and shall be worked and managed and the timber thereon be cut, as shall be ordered from time to time by regulations made by the Lieutenant Governor in Council.

"The timber cut from and upon such reserves shall be sold at public auction."

No action was ever taken under this act as at first adopted, but in 1883 it was amended by the addition of several sections. The new legislation gave the Lieutenant Governor in Council authority to set apart as a Forest Reserve "all the ungranted lands of the Crown now held under licenses to cut timber, except such parts of such licensed lands on which no merchantable pine or spruce timber grows, and which are fit for settlement, and also such other portions of the ungranted lands of the Crown as the Lieutenant Governor in Council, on the recommendation of the Commissioner of Crown Lands,

may think fit to set apart." No land so set apart was to be sold or appropriated for settlement purposes until after the expiration of at least ten years, and not then until it was established to the satisfaction of the Lieutenant Governor in Council that the whole or any part of such territory could be thrown open with advantage. It was provided that in the renewals of licenses after a forest reserve had been created all land previously under license in the locality and not included in the reserve should be excluded.

Under the provisions of this measure a very large area in the western portion of the Province of Quebec running north to the Height of Land was by Order in Council dated September 10th, 1883, set apart as a forest reserve, with the exception of all lots situated in a number of townships included "which hereafter may be found (from inspection made by competent and authorized persons) fit for settlement and destitute of merchantable timber."

This action of the Government excited a great deal of opposition, especially on the part of promoters of Colonization Societies, and the objections raised to the operation of the system were so strong that in 1888 the legislation authorizing the setting apart of timber reserves was repealed and the following substituted :

"In future a timber reserve of twenty per cent. of each lot sold shall be made at the time of the granting of the location ticket or permit of occupation for public lands.

"The Commissioner of Crown Lands may determine, through his agent, the locality where the reserve shall be situated.

"The Lieutenant Governor in Council may make all regulations not incompatible with this Act for the right to cut timber upon the reserve indicated ; but the proprietor or the occupant of the lot upon which it exists shall, together with his assigns, remain the perpetual usufructary of such land, with all the rights he may have as such."

This measure proved no more effective or satisfactory than previous attempts to solve the problem, as it altogether lost sight of the principle of distinguishing between agricultural and non-cultivable lands, and applying radically different methods of management. Its repeal in 1889 closes the chapter of Quebec's forest reserve legislation.

Regulations of 1866.

New Regulations for granting licenses to cut timber were issued on 13th of June, 1866, by which some important alterations were made as will be seen by a comparison of the following with the text of those issued in 1851.

CROWN TIMBER REGULATIONS, 1866.

1. Licenses for such vacant berths as the Commissioner of Crown Lands may see fit, together with all vacant forfeited timber licenses, shall be offered for sale at public auctions to be held half yearly in each Timber Agency, on the 10th of July and the 10th of January, (or on such other dates as the Commissioner of Crown Lands may fix by public notice) at an upset price of Four Dollars a square mile or such other rate as he may fix by such notice, and shall be awarded to the highest bidder making immediate payment at the time of sale ; and if not then sold shall be granted to the first applicant thereafter making immediate payment of the upset price and ground rent. But in case of two or more applications for any such berth being received at the same time, it shall be immediately again offered for sale by public auction. Unissued Licenses already awarded, however, and such as may be awarded by the Commissioner of Crown Lands on existing grantable applications, under Regulations of 8th August, 1851, shall be granted on the terms upon which they have been or may be awarded. In the intervals between sales, licenses for new Timber Berths for which applications may be made to the Commissioner of Crown Lands, or Crown Timber Agent for the territory in which they lie, may be granted to the first applicants paying in with their applications the upset price and ground rent above mentioned. Not more than one berth to each applicant — the bonus to be returned should the berth be relinquished as valueless within six months without cutting timber on it.

2. Applications must be in writing and the spaces asked in them must be distinctly described in connection with known points established by survey or boundaries already defined, or if in surveyed townships the lots and ranges must be stated.

3. No timber Berth shall be licensed in unsurveyed lands exceeding ten miles in length by five miles in breadth or fifty superficial miles in area and half that size in surveyed townships, the area to be estimated by the Crown timber agent or other authorized officer.

4. All timber licenses are to expire on the 30th April following the date thereof.

5. Newly granted Licenses, and renewals of licenses that have been duly occupied, shall be subject to a yearly Ground Rent of fifty cents each superficial mile of area included within their limits, estimated as before mentioned; but in computing the ground rent no license shall be charged at less than eight miles of area.

6. The Ground Rent to be exacted on the renewal of any license shall be double that of the preceding year if the berth licensed has not been duly occupied, increasing annually in that proportion while the berth continues unoccupied (excepting the year succeeding that in which the licenses has been first granted, if not in a surveyed township); but the so increasing ground rent shall not exceed the rate of twenty-three shillings and fourpence a mile, (being equal to the lowest amount of duties on square timber the ground would yield if duly occupied, added to the rate of fifty cents first mentioned) reverting to the original rate on the berth being duly occupied. The making of an average of five hundred feet of square timber or 20 saw logs to the mile, to be considered as due occupation. No claim for reimbursement of ground rent over calculated to be entertained after the issue of license.

7. No timber berth shall be forfeited for the non-occupation of it, provided the increased ground rent on that account be duly paid; but any berth on which the increased ground rent is evaded by false statements as to occupation, shall (after the holder of it has had an opportunity of being heard in opposition) be granted to the first applicant pleading such evasion before the first day of November and proving the same by the affidavit of a commissioned Surveyor before the first day of December following the date of the false statement made. If half occupation only be proved, the holder of the license may retain one-half the berth after it has been equitably divided by the Crown Timber Agent.

8. License holders who shall have duly complied with all existing Regulations shall be entitled to renewals of their licenses, provided they shall have made and delivered to the Crown Timber Agent of the locality, before the thirtieth day of September, or such prior date in any locality as the Commissioner may fix, sworn statements of the number and description of pieces of timber and saw logs cut by themselves or by others to their knowledge upon each of the berths held by them during the previous season: and shall have paid to the Crown, on or before the fifth day of December following, the ground rent payable for renewal of their licenses for the ensuing season; but should they fail to comply with these conditions in respect to any berths held by them, such berths shall thereby become vacant and the right to license therefor forfeited and they shall be sold at public auction or be otherwise disposed of as before mentioned, excepting that if double the ground rent otherwise chargeable be paid for omitting to furnish the statement above mentioned, and payment be made before the day of sale with ten per cent. in addition for each month of the delay in payment, the berth may be re-licensed to the former holder.

9. License holders desirous of obtaining renewal of license must make application for such renewal to the Crown Timber Agent of the locality before the 1st of July in each year, stating what berths have been duly occupied, failing which such berths shall be charged with the rate of ground rent payable on non-occupation.

10. Crown Timber Agents shall keep registers of all licenses granted or renewed by them and transfers thereof, which, together with their plans of licensed berths and vacant ground, shall be open for public inspection.

11. Transfers of timber berths to be in writing, and if not found objectionable by the Crown Lands Department, or agent for the granting of licenses, to be valid from the date on which they may be deposited in the hands of the latter; but no transfer to be accepted while the party transferring is in default for non-payment of dues on timber to the Crown.

12. Timber berths are to be described in new licenses as "not to interfere with prior licenses existing or to be renewed in virtue of Regulations" on the date of their first being issued. Where licenses clash, the one of more recent origin is to give way to that of prior date, computing back to the season it was last acquired at auction, or by grant from the Crown. And should any license, by error or defect in its description, be found evidently incompatible with the intention or regulations under which it was granted, the Commissioner of Crown Lands may cause it to be cancelled or amended.

13. The Inspector of Crown Timber Agencies at Ottawa, and any officer thereunto authorized elsewhere, shall, at the written request of any person interested, issue instructions stating how the boundaries of timber berths should be run to be in conformity with existing licenses. The surveys are to be performed at the expense of the parties requiring them, who must cause copies of the plans and field notes of the surveys to be delivered to the officer giving the instructions, subject to his examination and approval, to be paid for by him and kept on record by the Crown Timber Agent of the locality.

14. In cases of contestation as to the right to berths or the position of bounds, the decision of the Crown Timber Agent of the locality or the Inspector of Crown Timber Agencies, or other officer authorized by the Commissioner of Crown Lands, shall, on notification thereof being given to the parties or their representatives on their premises, or sent to their address, be binding upon the parties unless reversed by arbitration commenced within three months of such notification.

15. To prevent delay or disputes as to arbitrators it shall only be necessary for the party thinking himself aggrieved by such decision to notify in writing to the officer who has given it, his dissent and the arbitrator he has appointed. It shall then be the duty of the officer who has given the decision to take the place of arbitrator on the other part, and in case of their not agreeing as to an umpire, should one be required, the Commissioner of Crown Lands shall appoint one, on request of either of the parties or either of the arbitrators — such arbitrators may receive evidence obtained subsequent to the decision and each of them and the umpire are to be paid five dollars for each day they are engaged on such arbitration, by the parties jointly.

16. Timber cut under license shall be paid for at the following rates, viz.:

	s.	d.
Oak and Walnut, per cubic foot	0	1½
Elm, Ash and Tamarac	0	1
Red and White Pine, Birch, Basswood, Cedar, Spruce, etc.	0	0½
Pine Saw Logs, each, 13½ feet long	0	6

or, ten cents per standard log of 13½ feet, 20 inches in least diameter.

Unmeasured culls to be charged at average of the lot they are in.

Spruce Saw Logs, each 13½ feet long	0	2½
Staves, Pipe, per mille	32	6
do W. Indian	10	0
Cordwood (hard) per cord	0	8
Soft Wood, per cord	0	4

Railway Timber, Knees, etc, 10 per cent. ad valorem.

To be charged upon the quantities shewn by measurement under the direction of the Supervisor of Cullers, or Deputy Supervisor, at Quebec, or Montreal, or other place of sale or shipment, or by other reliable measurement, where that cannot be obtained, otherwise each stick of White Pine may be estimated as containing 70 cubic feet.

Red Pine as containing 38 cubic feet.

Other kinds of wood 34 cubic feet.

And when any license holder is in default for, or has evaded the payment of dues to the Crown on any part of his timber, they may be levied on any other timber of his, cu under license, together with the dues thereon.

17. All square timber, logs, deals, boards, or other stuff leaving the Agency in which it has been cut in any form, must be submitted to counting or actual measurement, and statements under oath must be furnished as to the quantities of timber and logs cut under license whenever required. Owners or lessees of Saw-Mills cutting under license must show by such sworn statements the total number of each kind and length of logs cut or acquired by them, and taken to their mills, or where left, each season, giving the number in standards also, and must prove by satisfactory affidavits on what lots, and how many on each lot, such as are from private lands, have been cut; clearances to be refused in case of non-compliance.

18. Before moving any raft or parcel of timber, lumber or saw logs from the agency in which it has been cut, the owner or person in charge thereof shall make report thereof to the Crown Timber Agent, making, if required, declaration upon oath as to the number of pieces of each kind of wood contained therein, and the number of cribs; and to exempt timber from private land, if any, from dues as Crown timber,—must furnish satisfactory affidavit stating what lots it was cut upon and how much on each lot,—whereupon he shall obtain a clearance from the Crown Timber Agent, stating the number of pieces in the raft or parcel, how many, if any, have been satisfactorily proved to be from private lands, and on how many, if any, the dues have been previously or then paid. On the arrival of any such raft or parcel at Quebec, or any intermediate place, or other port, for sale or shipment, the owner or holder of it shall make report thereof to the Collector of Crown Timber Dues, or Deputy Supervisor of Cullers, or other appointed officer, within forty-eight hours, and in addition to the quantity shewn by the clearance as subject to dues, any surplus timber beyond the number of pieces stated therein, on being ascertained by the Collector of Crown Timber Dues, Deputy Supervisor of Cullers or other authorized officer, if not satisfactorily accounted for, shall be held as having been cut upon Crown Lands and be subject to the payment of dues accordingly.

19. Parties omitting to report the departure of their rafts or other timber from the Agency in which they held license, or the arrival thereof at Quebec or Montreal or other port or place, for sale or shipment, within the Province as before mentioned, may be refused further license—and be subject to forfeiture of the timber for evasion of Regulations as provided in section 3rd of Cap. 23, of the Consolidated Statutes of Canada.

20. Occupants, grantees or purchasers of Public Lands who have not completed all conditions of sale, or grant, cutting timber without license (except for clearing, building or fencing thereon) or others doing so by their permission, shall be subjected to the penalties established by law for cutting timber without authority.

21. Persons evading or refusing the payment of timber or slide dues, or the final settlement of bonds or promissory notes, given for the same, or in default with the Crown Timber Office or Agent, also persons taking violent possession of disputed ground before obtaining decision in their favor, and persons refusing to comply with the decision of arbitrators or with Regulations established by Orders in Council, or who forcibly interrupt Surveyors, shall be refused further licenses, and their berths become disposable to others on the expiration of their licenses.

22. Licenses are to be granted on the annexed form in duplicate, the clause at the foot thereof must in the duplicates be signed by two securities and the description of each berth is to be written on the back thereof. The duplicates to be kept of record by the Crown Timber Agent.

23. Dues of all kinds on timber cut under license remaining unpaid on 30th November following the season in which it was cut, to be subject to interest from that date, but without prejudice to the power of the Crown to enforce payment of such outstanding dues.

The most noteworthy changes were the provision for regularly held and systematic auction sales for vacant timber berths, and the fixing of an upset price in all cases, upon the berths to be offered. The new regulations, moreover, were a good deal more stringent in the provisions designed for the prevention of fraud in evading the payment of timber dues.

The Reciprocity Treaty with the United States, under which, as will be hereafter shown, the exportation of forest products, more especially sawn lumber, had greatly increased, expired on the 17th March, 1866. By the new tariff, which came into force on the 27th of June, export duties were imposed on saw logs and shingle bolts shipped from Canada, excepting to any of the British North American Provinces, at the rate of $1.00 on every thousand feet, board measure, for pine, and 50 cents for every thousand feet, board measure, for spruce. The first tariff adopted under Confederation during the session of 1868, imposed additional export duties on timber from the 1st of October in that year, as follows:—

Export Duties After Reciprocity.

Shingle bolts, per cord of 128 cubic feet	$1 00
Stave bolts, " " "	1 00
Oak logs, per M	2 00
Spruce logs, "	1 00
Pine logs, "	1 00

By the Confederation of the British North American Provinces, consummated by the establishment of the Dominion of Canada on July 1st, 1867, the management of public lands and timber was relegated to the several Provincial administrations. The British North America Act, 1867, in defining the respective powers of the Dominion and Provincial Governments includes, among the subjects coming exclusively within the scope of the Provincial legislators, "The management and sale of the public lands belonging to the Province, and of the timber and wood thereon." As will have been noted, from the frequent references to legislative action and quotations of official utterances during the few years which preceded the union of the Provinces, a very considerable advance had been made in public opinion on the subject of forestry. The question was being intelligently studied in all its bearings by those charged with the responsibilities of legislation. Men were beginning to understand the true remedy for evils which had been developed, not so much by any positive neglect or misconduct on the part of those in charge of affairs, but rather as the result of crude, unscientific methods under which the distinction between the two classes of public land requiring essentially different systems of management was largely ignored. Public, or at least legislative and influential sentiment, appeared to be seriously aroused to the danger to the practical interests of the country to be entailed by the rapid disappearance of the forests covering the non-agricultural region and forming its only possible source of productiveness, and to be fast crystallizing in the direction of a system of scientific forest management, as distinct from methods of mere sale and exploitation.

Confederation.

Provincial Jurisdiction.

Agricultural and Forest Lands.

But with the advent of the larger and more agitating questions involving the rise and fall of parties, and culminating in the union of the previously isolated provinces, opening broader vistas for Canadian aspirations and enterprises, and introducing a host of additional responsibilities and fresh problems, it is not surprising that the matter of forest preservation was thrust into the background, and for many years thereafter received but little attention. But it is certainly a curious illustration of the ebb and flow of public opinion, and the manner in which movements for the abatement of public evils or the promotion of needed reforms frequently subside after having attained a considerable headway, only to spring into activity again many years afterwards, when their former influence has been well nigh forgotten.

Some details showing the extent and principal characteristics of the timber industry at the time of Confederation may appropriately be presented. The report of the Crown Lands Department of Canada for 1866 gives the amount collected during that year for timber dues and ground rents as $338,302, and for slide dues $63,483. The total exports of forest products for the year ending June 30, 1867, are valued by the Trade and Navigation returns at $13,948,648, as compared with total exports of agricultural products of a value of $16,765,981.

Revenues in 1866.

Nearly all the exported forest products found a market either in Great Britain or the United States, the proportion consigned to each of these countries being nearly equal, as Britain received shipments to the value of $6,889,783, while those sent across the border were valued at $6,831,252. These figures indicate a very considerable change in the conditions of the trade during the course of the decade immediately preceding Confederation, at the beginning of which the British demand was double that of the Americans The total exports of forest products to Great Britain for the three years 1854-5 6 amounted in value to $18,288,702, while the aggregate shipments to the United States for the same period were valued at $8,894,218. It will be seen therefore that at the time of Confederation the American demand for Canadian timber and lumber had more than doubled, while that of Britain remained comparatively stationary. The principal increase in the volume of the growing American trade was in sawn lumber. While "plank and boards" to the value of $1,866,712 were exported from Canada to the United States in the year ending Jan. 5th, 1854, the same item figures in returns for 1867 to the extent of $5,043,367. This development of the sawn lumber trade with the United States, while to a certain extent fostered under the favorable conditions of the Reciprocity Treaty, was no doubt in the main due to the rapid growth of population in the Eastern States, coincident with a gradual diminution in their home sources of supply, rendering it necessary for them to look to Canada for their requirements.

Exports to United States.

In 1868 the Dominion House of Commons set on foot an enquiry into the best means of protecting hemlock timber from the destruction caused by the demand for hemlock bark for tanning purposes. A select committee was appointed on April 1st, composed of Mr. Pope, Hon Mr. Dunkin, Hon. Mr. Wood, Hon Mr. Huntington, Mr Brown, Mr. Masson of Soulanges, Mr. Joly, Hon. Mr. Beaubien, Mr. Senecal and Mr. Burpee "to enquire into and report upon the best means of protecting hemlock timber from destruction caused by those manufacturing the extract of hemlock bark and the exportation thereof from Canada." The report of the Committee, based on answers to questions submitted to a number of those having special interest in the question or facilities for information in different parts of the country, presents some considerations which have a wider significance than their bearing upon the specific subject of the investigation, and are of general applicability to the problem of utilizing forest products with the minimum of waste and to the greatest advantage.

Export of hemlock bark.

The Committee concluded that the bark consumed in local tanneries was applied to a legitimate use, benefitting both the settler and the country at large; the settler was enabled to defray the cost of clearing the land by the sale of the bark and at the same time had opportunity to dispose of the timber to advantage, as the work of clearing gradually proceeded. The export of bark and the manufacture of "Extract of Bark" they regarded in a very different light. The quantity of bark exported annually from Canada to the United States was estimated at not less than 100,000 cords, which, at ten cords to an acre, represented 10,000 acres annually stripped for the supply of American tanneries, This process resulted in the wholesale destruction of timber, the trees being generally left to rot on the ground, largely increasing the danger of forest fires. The rate of consumption was, however, liable to be indefinitely increased by the establishment of works for the manufacture of "extract," capable of being transferred from place to place so long as a supply of the raw material was obtainable anywhere, which was likely to have a much more serious effect upon the hemlock forests, as the extract thus made could be sent to any part of the world, whereas the exportation of the bark was, by the cost of transport, limited to a comparatively small radius. It was argued on behalf of the manufacture that it furnished employment, distributed large sums in wages, and gave an impetus to other industries, etc., but while admitting the force of this contention the Committee regarded these benefits as more than counterbalanced by the wasteful and destructive nature of the industry. "One of these factories," says the report, "upon a basis of calculation afforded by those concerned in them, will consume all the bark available within

Extract of bark.

a radius of about ten miles, at the present rate of consumption, within a period of from ten to twelve years, when it must be moved to a new field of operations. The injurious effect of its removal from the neighborhood will be such as to far more than counter balance any temporary advantage that may have been derived from a spasmodic and short-lived activity and enterprise; and the bark that would have sufficed to supply for an indefinite period, a tannery giving employment to the population, will have disappeared altogether. The loss to the country at large will also be serious. At present we have an ample supply of material for our tanneries, enabling us to compete successfully with other countries in the manufacture of leather; but if for the sake of encouraging the manufacture of the extract we suffer ourselves to be deprived of this advantage we sacrifice a permanent and most important manufacturing interest for one that, at the best, is but transient, and of slight comparative importance.

A transient industry.

The report concludes as follows:—"After a most careful consideration of the question, your committee can only come to the conclusion that unless some steps are speedily taken to check the wasteful and extravagant rate of consumption now going on, that is really for the benefit of foreign countries at the expense of Canada, many years will not have elapsed before our own tanneries will be seriously crippled, if not closed altogether, for lack of that which we are now so freely giving away to others, we shall be no longer able to compete successfully with other countries in the manufacture of leather; and a large portion of our forest land will not only be denuded of that which constitutes its chief value, but will be rendered practically unfit for settlement. Under these circumstances, your committee feel it their duty to press upon the Government the necessity of adopting such measures as may be calculated to check the evil complained of."

To Prevent Export.

The particular method favored by the Committee for dealing with the matter had been previously indicated in a brief preliminary report presented to the House on 4th of May, which reads as follows:—

"Your Committee have made a careful enquiry as to the extent of the Hemlock forests in different parts of the country and the rate at which the consumption of bark is proceeding in connection with the tanneries, etc. They find that a very large proportion of the bark annually taken from the forest is exported to the United States, threatening in a very short time to diminish materially the supply for home consumption.

Your Committee, therefore, feel it their duty to urge upon the Government the expediency of imposing an export duty of one dollar per cord upon Hemlock Bark, with a view of checking the wholesale destruction of our Hemlock forests now going on."

Export Duty Recommended.

No action was taken by the Government in the matter. The proposal met with the active opposition of the interests affected and a number of petitions against the imposition of an export duty from those engaged in the industry, and the farmers in the respecsive neighborhoods where it was carried on were presented, and as no counter agitation re-inforced the Committee's recommendation the subject was dropped.

The conditions disclosed by this investigation and the considerations influencing the conclusion reached by the Committee have been presented somewhat more fully than is warranted by the intrinsic importance of the enquiry, on account of their bearing upon similiar questions of an international character, affecting the management of our natural resources, which are likely to arise with increasing frequency in the future. The case of the exportation of hemlock bark and extract presents a striking analogy to the question of the shipment of saw logs in an unmanufactured state—and the forcible presentation in the report above quoted of the injury sometimes involved to the permanent and substantial interests of the country by the toleration of a lucrative though temporary and wasteful exploitation of raw material to be manufactured abroad, is full of significance in its application to the existing situation.

Bearing on Present Problems.

UNDER CONFEDERATION

The report of Hon. Stephen Richards, the first Commissioner of Crown Lands for Ontario, for the year 1868, contains the following paragraph relating to the Woods and Forests Branch.

"The timber dues, ground rent and bonus accrued during the year amount to $190,237. The total timber revenue collected on account of such accruals, and of the arrears of previous years, is $234,209. Of this amount the sum of $14,446 was received as bonus on the south half of the Township of Sherbourne, sold in two timber berths by public auction at Peterboro on the 23rd of December, 1868, Berth No. 1, covering an area of 20½ square miles (and which had previously suffered from fire and trespass) was sold at a bonus of $249 per square mile. For Berth No. 2, covering an area of 18 square miles, a bonus was obtained of $519 per square mile, being by far the largest bonus ever received by the Crown on a sale of timber limits in this Province."

First Provincial Timber Sale.

The question of saw logs exportation, which has since assumed such prominence, cropped up during the first session of the Provincial Legislature, when on February 26th, 1868, "on motion of Mr. Christie, a Select Committee was appointed to enquire into the nature of and extent of the exportation of saw logs, shingle bolts and stave bolts cut in this Province, and exported from the Dominion as follows:—Hon. Mr. Richards, Messrs. McDougall, Paxton, Hooper, Cockburn and Christie. No report appears to have been made by the committee.

On January 9th of the same year, Mr. Rykert moved for returns showing details as to the number of timber licenses granted since 1860, and among the particulars asked for was, "so far as practicable what portions of said lands are fit for agricultural purposes?" The returns were brought down in due course; but no attempt was made to furnish any information as to how much of the area under license was of a cultivable character. Meanwhile the timber revenue of the Province was increasing by leaps and bounds. The report of the Commissioner of Crown Lands for 1869 stated that a more careful supervision over lumbering operations was inaugurated than was believed to have previously existed. Reference was made to the issue of new Crown Timber Regulations in April, 1869, by which the dues were raised fifty per cent. in excess of the former rates, and a uniform rate of ground rent fixed. The regulations also provided for the more satisfactory accounting for the timber and saw logs cut upon public lands. The accruals from timber dues, ground rents and bonuses during the year amounted to $508,561, and the collections were $435,397. This very substantial increase in the revenue was emphasized by a comparison between the results of Crown Lands management under the ante-Confederation Canadian administration, and under the new Ontario regime respectively, as shown by the following table:—

Increasing Revenues.

1. Timber revenue derived from the whole Province of Canada:—

The largest revenue for any one of the 10 years ending 31st December, 1866, was	$386,656
The average yearly revenue during the 10 years was	295,409

2. Timber revenue derived from Upper Canada alone:—

The largest revenue for any one of the 10 years ending December 31st, 1866, was	197,093
The average yearly revenue during the 10 years was	150,935
The timber revenue for the year ending December 31st, 1867, was	152,266
The timber revenue for the year ending December 31st, 1868, was	234,209
For the year ending December 31st, 1869	435,397

"In round numbers," concludes the Commissioner in a tone of justifiable exultation "the timber revenue from the Upper Canada woods and forests is during the present year $238,000, or say 120 per cent. in excess of the highest amount it ever reached in any one year previous to the 1st of January, 1867; and is $48 000, or say 121½ per cent. in excess of the highest amount ever received from the whole of the Province of Canada in any year previous to the last mentioned date."

The new Crown Timber Regulations above referred to are as follows:—

Regulations of 1869.

1. The Commissioner of Crown Lands may, at his discretion, cause the limit lines of any timber berths under license, which have not been already surveyed, to be properly surveyed and run, the costs of such survey to be paid by the holder of the license, and where two or more licensees are interested in the survey, the Commissioner shall determine what portion of the costs of survey shall be paid by each, and such costs of survey shall be a charge upon the Timber Berth, to be paid with the ground rent before renewal of the License.

2. The Commissioner of Crown Lands, before granting any licenses for new Timber Berths in the unsurveyed territory, shall, as far as practicable, cause the section of country where it is intended to allot such Berths, to be run into Townships, and each Township when so surveyed shall constitute a Timber Berth, but the Commissioner of Crown Lands may cause such Townships to be subdivided into as many Timber Berths as he may think proper.

3. The Berths or limits when so surveyed and set off, and all new berths or limits in surveyed territory, shall be explored and valued and then offered for sale by public auction at the upset price fixed by such valuation, at such time and place, and on such conditions, and by such officer, as the Commissioner of Crown Lands shall direct by public notice for that purpose, and shall be sold to the highest bidder for cash at the time of sale.

4. All forfeited Timber Berths may be offered for sale on the second Tuesday in August in each year, by public auction, at such upset price and at such place as the Commissioner of Crown Lands may fix and appoint by public notice, or at such other rate as he may fix by such notice, and shall be awarded to the highest bidder, making payment at the time of sale, but should the said Timber Berth not be then sold, the same may be granted to any applicant willing to pay the said upset price and ground rent, or on such other terms as the Commissioner of Crown Lands may direct.

5. License holders who shall have complied with all existing regulations, shall be entitled to have their licenses renewed on application to the Commissioner of Crown Lands, or to such local agent as he may appoint for that purpose.

6. The Commissioner of Crown Lands shall keep a Register of all licenses granted or renewed and of all transfers of such licenses; and a copy of such registers, with a plan of the licensed limits, shall be kept by the Crown Timber Agent of the locality, and open to public inspection.

7. All transfers of Timber Berths shall be made in writing, but shall be subject to the approval of the Commissioner of Crown Lands, to whom they shall be transmitted fer approval or rejection, and they shall be valid only from the time of such approval, to be expressed in writing.

8. Timber Berths are to be described in new licenses as "not to interfere with prior licenses existing or to be renewed in virtue of regulations." When the description of any berth or boundary, as given by any license, clashes with the description of any other licensed berth or territory, the license of more recent origin (tracing back only to the time when such license or any previous license, of which it is a renewal, was first granted) shall give way, and the Commissioner may amend or cancel such license wholly or in part, and substitute another in place thereof, so as to correct the description of the berth or limit intended to be licensed; and in all cases where any license has issued in error or mistake, or is found to be inconsistent with any other license, or inconsistent or

incompatible with the regulations under which it was granted, the Commissioner of Crown Lands may cause it to be cancelled or amended, or he may refer all matters in dispute, with reference to the boundaries and position of Timber Limits, to arbitration, each of the contending parties to choose one Arbitrator, and the Commissioner of Crown Lands shall appoint an Umpire, naming a day on or before which the award of such Arbitrators or of such Umpire shall be made and delivered to the parties, and such award shall be binding on them.

9. Timber cut on limits for which license has been suspended or held in abeyance, shall be considered as having been cut without authority, and treated accordingly.

10. Occupants, locatees or purchasers of Public Lands, who have not completed all the conditions of sale or location, shall not, unless under Settlers' license or for clearing, building or fencing purposes on the said land, be permitted to cut timber or logs thereon, or to dispose of it to others. Persons found doing so shall be subject to the penalties established by law for cutting timber on the public lands without authority.

11. All Timber Licenses are to expire on the 30th April next, after the date thereof, and all renewals are to be applied for and issued before the 1st July following the expiration of the last preceding license, in default whereof the right to renewal shall cease and the Berth or Berths shall be treated as forfeited.

12. No renewal of any license shall be granted unless or until the Ground Rent, and all costs of survey, and all dues to the Crown on timber, saw logs, or other lumber cut under and by virtue of any license, other than the last preceding shall have been first paid.

13. All Timber Berths or limits shall be subject to an annual Ground Rent of $2 per square mile, payable in advance before the the issuing of any original license or renewal.

14. All timber, saw logs, wood or other lumber cut under any License now in force or under any License which may be hereafter granted, shall be subject to the payment of the following Crown dues, that is to say :—

Black Walnut and Oak, per cubic foot	$0.03
Elm, Ash, Tamarac and Maple, per cubic foot	0 02
Red and White Pine, Birch, Basswood, Cedar, Buttonwood and Cottonwood, and all Boom Timber, per cubic foot	0.01¼
All other woods	0 01
Red and White Pine, Basswood, Buttonwood and Cottonwood saw logs, per standard of 200 feet board measure	0.15
Walnut, Oak and Maple saw logs, per standard of 200 feet board measure	0.25
Hemlock, Spruce and other woods, per standard of 200 feet board measure	0.10
All unmeasured cull saw logs to be taken at the average of the lot, and to be charged for at same rate,	
Staves, Pipe, per mille	$7.00
do. West India, per mille	2.25
Cordwood (hard) per cord	0.20
do. (soft) do.	0.12½
Hemlock Tan Bark, per cord	0 30
Railway Timber, Knees, etc., to be charged 15 per cent. ad valorem.	

15. The duties on timber shall be charged upon the quantities shown by the specification of measurement at the office of the Supervisor of Cullers at Quebec, or that of the Deputy Supervisor of Cullers at Sorel or Montreal, or by other reliable measurement, but where such actual measurement cannot be obtained, each stick of white pine timber shall be estimated as containing 70 cubic feet, Red Pine as containing 38 cubic feet, Oak 50 feet, and Elm 45 feet, and all other wood as containing 34 cubic feet.

16. All Licensees or occupants of Timber Berths shall furnish through themselves, their agents, cullers and foremen, to such agent or agents as the Commissioner of Crown Lands may appoint for that purpose, and at such time and place as such agent or agents may require, satisfactory proof upon oath as to the exact locality where all the Timber, Saw Logs, and other Lumber in his or their possession were cut, giving the number of pieces, and description of Timber, Saw Logs, and other Lumber cut by themselves and others to their knowlege upon each of the Timber Berths held or occupied by him or them respectively, designating what quantity, if any, had been cut on settlers' lands, giving the names of such settlers, the name of the Township, and the number of each lot and concession, exhibiting at the same time for the inspection of such agent or agents, the Books of count and measurement of such Timber, Saw Logs, and other Lumber under his or their control respectively; and shall, moreover, furnish such Agent or Agents all required information and facilities to enable him or them to arrive at a satisfactory determination as to the quantity and description of timber, saw logs, and other lumber made by them or him, or held in his or their possession respectively, on which the Government dues are chargeable; and in the event of such Agent or Agents deeming it expedient to cause such timber, saw logs, and other lumber to be counted or measured, the said Licensee or occupier of such timber berth and his or their Agents, cullers and foremen shall aid and assist in such count or measurement, but should such Licensee or occupier, or his or their Agents, fail to comply with these conditions, such Licensee shall forfeit all right to renewal of his License, and the berth or limit shall become vacant. And to enable persons who sell their timber under settlers' License to obtain their refund of dues, and timber cut on Patented Lands to pass duty free, it will be necessary for the parties interested to prove, on oath, taken before such Agent or Agents, and to his or their satisfaction, the number of pieces and description of timber and saw logs cut on each lot respectively. And in the event of such proof being deemed unsatisfactory, the said Agent or Agents may determine the same by causing a strict count of the stumps to be made and then certifying according to such count.

17. The Commissioner of Crown Lands or any authorized Agent, shall at all times have free access to and be permitted to examine the books and memoranda kept by any Licensee shewing the quantity of lumber in board measure sawn by him from logs cut on his timber berth or berths, and failing to produce such books and memoranda when required to do so, will subject such Licensee to a forfeiture of his right to a renewal of his License.

18. When any License-holder is in default for, or has evaded the payment of dues to the Crown on any part of his timber or saw logs, such dues may be levied on any other timber or saw logs belonging to such defaulter cut under license, together with the dues thereon

19. Before moving any Raft, or parcel of timber, lumber or saw logs from the Agency in which it has been cut, the owner or person in charge thereof, shall report the same to the Crown Timber Agent making, if required, declaration upon oath, as to where the said Timber was cut, the number of pieces and description of each kind of wood contained in such raft or parcel of timber, and the number of cribs, stating at the same time, the number and description of pieces cut on private lands, also on lands under Settlers' License, giving the names of the owners or Licensees of such land, with the name of the Township, and number of each lot, and concession, and should such Crown Timber Agent not be satisfied with the correctness of such report, he shall cause a strict count to be made of the timber in such raft; and on being satisfied of the correctness of such report or count, the said Crown Timber Agent may grant a clearance, in due form, for such raft, stating the number of pieces and description of timber contained therein, distinguishing the timber cut on private lands and under Settlers' License, from that cut on the Crown Domain.

20. The owner or holder of any such raft or parcel of timber shall, within twenty-four hours after the same shall have arrived at its destination at Quebec, Sorel, Montreal or other port of sale or shipment, report the arrival of such raft to the Collector of Crown Timber Dues, or if at Sorel or Montreal to the Deputy Supervisor of Cullers, and should the said raft

be found by the specification of measurement to contain a greater number of pieces of timber than is noted in the clearance, the surplus number of pieces, if not satisfactorily explained, shall be held as having been cut on Crown Lands without authority, and subject to the payment of dues accordingly.

21. Parties omitting to obtain their clearance at such agency, or omitting to report the arrival of such raft at its destination as above mentioned, may be refused further license, and may be subject to forfeiture of the timber for evasion of regulations, as provided in Cap. 23 of the Consolidated Statutes of Canada.

22. Persons evading or refusing the payment of timber dues. or the final settlement of bonds or promisory notes for the payment of such dues, or in default with the Crown Timber office or agent; also persons taking forcible possession of disputed ground before obtaining decision in their favor, and persons refusing to comply with the decision of arbitrators or of the umpire, as provided by the 8th section of these Regulations, or with the Regulations established by Order in Council, or who forcibly interrupt surveyors in the discharge of their duty, shall be refused further licenses, and their berths shall be forfeited at the expiration of the then existing license.

23. Dues of all kinds on timber cut under license remaining unpaid on the 30th November following the season in which it was cut, shall be subject to interest from that date, but without prejudice to the power of the Crown to enforce payment of such outstanding dues at any time the Commissioner of Crown Lands may think proper.

These regulations were amended by Order in Council dated the 18th of May, 1899, by the substitution for Sec 10, as given above, of the following provision:

10th. Occupants, locatees or purchasers of public lands shall not unless under settlers licenses or for clearing, fencing or building purposes on the said land, be permitted to cut any description of timber or logs thereon, or to dispose of it to others until they have gone into the actual bona fide occupation of the said land, have built a habitable house thereon 16x20 feet at least, have resided thereon actually continuously for at least six months, and cleared and put under cultivation two acres at least of the said land. Persons contravening this regulation shall be subject to the penalties established by law for cutting timber on the Public Lands without authority. This regulation shall not be construed as in any way affecting the regulations respecting pine and cedar trees of the 27th day of May, 1869, and the 3rd April, 1880.

Timber Marks.

A measure of some importance to the lumber trade was passed by the Dominion Parliament during the session 1870. "An Act Respecting the Marking of Timber" provided that every person engaged in the business of lumbering or getting out timber and floating and rafting the same on the inland waters within the Provinces of Ontario or Quebec, should be subject to a penalty of fifty dollars for failure or neglect to select a mark or marks to be put in a conspicuous place on each log or piece of timber floated or rafted. A timber mark register was to be kept in the office of the Minister of Agriculture, where all marks were to be registered, giving the party registering the same the exclusive right to use such mark. Provision was made against the duplication of marks, or the adoption by one lumberman of any mark bearing such a close resemblance to another previously registered as to cause confusion, and a penalty of not less than $20 or more than $100 was imposed for the use of any registered mark by any other person than the proprietor.

Stream Pollution.

The practice of throwing saw dust and other mill refuse into navigable streams and rivers was at this time very general among the owners of saw mills, with the frequent result of obstructing navigation by the accumulation of debris, as well as of destroying the fish in water where they formerly abounded. On February 20th, 1871, Mr. Cartwright introduced a bill for the better protection of navigable streams and rivers, into the House of Commons, by which this practice was prohibited. It was referred to the Committee on Banking and Commerce, who reported the bill back to the House on the ground that they were entirely without evidence as to the necessity of such legislation and recommended the subject to the consideration of the Government with a view to enquiry by Commission

or otherwise. A Commission was accordingly appointed consisting of Hon. Hamilton H. Killaly of Toronto, John Mather of Chelsea, and R. W. Shephard of Montreal. Their report strongly favoured the proposed legislation, the need of which was plainly indicated by the testimony adduced, showing the serious impediments to navigation which in many instances had resulted from throwing saw mill refuse into the water. The measure when introduced in 1873 became law. Its principal clause provides that—

"From and after the passing of this Act no owner nor tenant of any saw mill nor any workman therein, nor other person or persons, whosoever, shall throw or cause to be thrown, or suffer or permit to be thrown, any sawdust, edgings, slabs, bark or rubbish of any description whatsoever, into any navigable stream or river, either above or below the point at which such stream or river ceases to to be navigable." A fine of not less than twenty dollars was imposed for the first offence, the penalty for subsequent infractions of the law being not less than fifty dollars. It was made the duty of the fishery officers to examine and report on the condition of navigable streams and rivers from time to time and to prosecute offenders. The Governor-in-Council was given power to exempt any stream or river or any part thereof from the operation of the Act, on its being shown to his satisfaction that the public interest would not be injuriously affected thereby.

Export Duty on Saw Logs.

The question of the maintenance of an export duty on saw logs came up in the Dominion Parliament again during the Session of 1874 On the 9th of April a Select Committee composed of Messrs. Charlton, Currier, Mc Dougall (Renfrew), McCallum, Scriver, Colby, and Stuart were ap pointed to enquire into and report on the working of the Act Cap. 44 of 31 Vic., so far as it relates to imposing an Export duty upon saw logs, shingle bolts, and stave bolts. The report of the Committee, presented on the 30th of April, was as follows :—

"That the Export Duty on saw logs, shingle bolts and stave bolts, imposed under Schedule F. of the Tariff Act of 1868, Cap. 44 of 31 Vic., is a tax upon settlers and owners of timber, who are prevented by its operation from obtaining the full advantage afforded by the best markets.

"That the Export Duty while reducing the market value of logs and bolts for the benefit of mill owners does not promote the manufacture of lumber, shingles, and staves at the principal Lake Erie Ports, and at many other points in Canada.

"That a large proportion of the export of pine and oak logs is long timber, entering into the same class of consumption as does the square oak export of Canada.

"That exporters of round pine and oak from Lake Erie ports compete in American markets with Michigan timber dealers, to whom the Canadian export duty afford a considerable protection.

"That since the imposition of the Export Duty, a large amount of capital embarked in the round timber trade has been withdrawn from Canada and invested in Michigan.

Hard on Settlers.

"That the saw mill interest of Canada has in the opinion of your Committee, been slightly benefited by the Export Duty; and that whatever benefit the Export Duty has conferred upon the saw mill interest, has been given at the direct expense of the settlers and owners of timber.

"That the Export Duty reduced to an ad valorem rate, would be on the average 40 per cent on stave bolts; 30 per cent. on oak logs; 20 per cent. on pine logs; 25 per cent. on spruce logs, and 25 per cent. on shingle bolts.

"That the Export Duty is an extreme protective measure and partially at least inoperative as such, and that the burdens imposed, by it are unequally distributed, falling as they do entirely upon settlers and other owners of timber."

An Act abolishing the Export Duty on stave bolts and oak logs was passed in 1875.

In 1886 the remaining export duties were altered, that on shingle bolts being fixed at $1.50 per cord, spruce logs $1 per thousand feet, and pine logs $2 per thousand feet. The Governor in-Council was authorized to increase the export duty on pine logs to $3 per thousand feet. By an Act passed in 1888 the Governor-General was empowered either to reduce or remove these duties whenever it should appear desirable in the public interest to do so. By an Order-in-Council of the 13th November in the same year the export duty on saw logs was increased from $2 to $3 per thousand feet; but on July 5th, 1889, the former rate was restored, in view of a probable understanding being reached with the United States for more favorable duties upon our manufactured lumber. The negotiations progressed satisfactorily, and in 1890 Sir John Macdonald promised the removal of the export duty on pine and spruce logs in the event of the United States Congress reducing the import duty on sawn lumber to $1 per thousand feet. This reduction took place, and on October 11th, 1890, the Canadian Government by Order.in-Council abolished the export duty.

Export Duty Increased.

Abolished in 1890.

With the accession to power in the United States of the Democratic Party the duty of $1 per M. on sawn lumber was removed, and free trade in lumber and logs followed between Canada and the States. General business was good on both sides of the line, and in 1892 the timber trade was very prosperous.

The prosperous condition of the market which obtained in 1892 did not long continue. The prolonged period of financial stringency and business depression which set in during the following year in the United States, followed by the imposition of a duty of $2 per thousand upon sawn lumber, largely destroyed the market for the coarser grades of lumber. Meanwhile large quantities of saw logs were being cut for exportation into the United States in order to furnish American mill owners with the raw material to enable them to meet the demand formerly supplied by Canadian shipments of the manufactured article.

Trade Depression.

Defensive measures were demanded by the lumber trade, and the Dominion Government was urged to reimpose the export duty of $2.00 per M. on saw logs, abolished in 1890. As the United States tariff legislation imposing the import duty of $2 00 per M. on sawn lumber also provided that this duty should be increased by the amount of export duty on logs that might be imposed by any other country, the Dominion Government was naturally reluctant to act. Western Ontario lumbermen who were mainly affected by the competition of their own logs sawn in Michigan, applied for relief to the Provincial Government, and in the session of 1898, at the instance of the Government, regulations requiring that all logs cut on Crown Lands should be manufactured in the Province, were approved by the Legislature. Michigan holders of Ontario timber limits, whose mills had been supplied with logs from them, claimed that this legislation constituted a breach of contract on the part of the Crown, that by the payment of the bonus at the time they acquired the limits they were entitled to cut the pine timber thereon and dispose of it as they saw fit, and that this action by lessening the value of the timber to them was to that extent confiscation.

The authors of the legislation held that when the holders acquired these limits they obtained a license to cut for one year only; that they understood when acquiring them that if they obtained a renewal of their license the following year it must be subject to such regulations as the Government saw fit in the interest of the Province to impose; that the new regulations applied to Canadian holders of limits as well, and was desirable in the interests of the Province.

The American limit holders also claimed that this regulation was ultra vires of the Provincial Legislature, being an interference with the "Trade and Commerce" which lay within the jurisdiction of the Dominion Government. The legislation was, however, allowed by the Dominion Parliament, and in 1899, by consent of the Attorney General of the Province, the case of the validity of the regulation was brought before the courts. Justice Steele, before whom the case was heard, gave judgment in favor of the Province, and at this writing no appeal has been taken from this decision.

TIMBER SALES.

In 1871 the area of timber land under license in Ontario was considerably increased, and the revenue largely augmented by the sale of extensive timber limits in the districts of Muskoka and Parry Sound. These areas had been thrown open for settlement by the "Free Grants and Homestead Act of 1868," but by a report dated September 26th, 1871, the Commissioner of Crown Lands recommended that the lands remaining unsold and unlocated should be offered for sale as timber limits in berths not to exceed twenty square miles in area, under the following conditions. Each limit at its estimated area to be adjudged to the party bidding the highest amount of bonus. The bonus and first season's ground rent at the rate of $2 per square mile to be paid immediately after the limit is adjudged. License to issue to the successful competitor within one month from the day of sale. All red and white pine timber or saw logs cut upon the said limits to be subject to the following special rate of timber dues. White and red pine timber, per cubic foot, 2½c.; white and red pine saw logs, per standard of 200 feet board measure, 30c So much of the Crown Timber Regulations as conflicted with this order to be suspended for the purposes of this sale, but in all other respects to apply to the licenses to be issued. The Commissioner also recommended that the Department recognize the right of all purchasers or locatees of Free Grant Lands to sell or dispose of pine trees on their lots subject to the payment of the above duties.

Extensive Sales.

These recommendations were approved of on the 4th of October. 1871. By a subsequent Order-in-Council on 22nd of November an important additional condition was imposed in connection with these sales, the purchasers being prohibited from cutting any trees of less size than thirteen inches in diameter at the butt, all pine timber under that size being reserved. At the same time the duty of 30 cents per standard saw log on lands located to settlers, being considered too high was reduced to 15 cents.

Diameter Limit for Cutting.

The timber berths in the Muskoka and Parry Sound districts disposed of under these conditions on November 23rd, 1871, comprising an area of 487 miles, realized $117,672 in bonuses.

The year 1872 is notable for a still more extensive sale of timber limits on the north shore of Lake Huron held on the 15th and 16th of October, when 5,301 square miles were disposed of, realizing as bonus $592,601, and ground rent $10,064, making a total of $602,665. More than three-fifths of this area had previously been under license, but with the exception of 300 square miles, the licenses granted in this locality in former years had been allowed to lapse. Some little difficulty arose in connection with these sales by reason of the claims of saw mill owners who had been operating in a small way on the North Shore for some twenty years previous, manufacturing lumber mainly for local use. At first these mills were largely supplied with timber taken from Crown Lands without license or the payment of dues unless in exceptional cases. Afterwards applications were made for licenses by the owners, and in some instances small spaces of territory were assigned to the applicants, who, however, made considerably more extensive demands than appeared reasonable to the department. The settlers in some districts complained that the supply of lumber for local consumption was insufficient. To meet the case the following Order-in-Council was adopted on the 19th of April, 1872:

Sale of 1872.

Local Saw Mills

"The Committee of Council have had under consideration the Report of the Commissioner of Crown Lands, dated April 9th, 1872, wherein the Commissioner states that, with the view of promoting settlement on lands at present remote from the centres of traffic and to contribute to the comfort and well-being of those already settled in such localities, a supply of sawn lumber for the erection of dwellings, barns, etc., is an absolute necessity, and the means at the disposal of the Department of furnishing a supply of timber for saw mills to meet such necessity being limited, he considers it expedient, in order to supplement such means, that recourse for a supply of timber should be had

to lands held under license. The Committee advise that the Commissioner be authorized to withdraw, at any time, from any timber license hereafter issued or renewed, any lot or lots or portion of land, he may deem necessary for the purpose of enabling him to furnish lumber for the supply of saw mills, erected or to be erected, for the manufacture of sawn lumber for local consumption."

In order to obviate any misunderstanding and prevent any possible abuse of this privilege by the export of lumber taken from lands set apart for the supply of lumber for the settlers, and further as a reasonable guarantee to license holders that their interests would not be necessarily interfered with, the following clause was adopted on December 17th, 1872, as an addendum to the previous Order-in-Council :

"The timber from lands set apart for the supply of saw mills manufacturing lumber for local consumption, is to be cut and manufactured exclusively for such local demand and so disposed of, that any infraction of this condition, directly or indirectly may be followed in each case by cancellation of authority to cut timber or trees on the lands so set apart for the purpose above mentioned, and may be restored to the license from which the same were withdrawn."

The annual report of Hon. R. W. Scott, Commissioner of Crown Lands, for 1872, has the following explanation of the policy pursued by the Provincial Government with regard to the Crown domain : "The policy of placing under license the area disposed of at the late sale has been questioned on the ground that it was virtually locking up the country from settlement, and handing over absolutely to licentiates the timber which should have been retained as a permanent source of revenue to the Province ; the fallacy of such objections must be apparent in the face of the following facts, viz., that the lands will be as open for sale after being covered by license as they were before the existence of such license, and that the timber which has hitherto yielded no appreciable contribution to the Provincial Treasury will now, as a result of the territory being placed under license, be a prolific source of revenue, permanent as the existence of the material from which it is derived.

An aid to Settlement.

"It was fairly assumed also, that placing the lands under license was the only means of settling the country, and it is gratifying to know that all the settlers in the Algoma district approve of the sale, and believe it was the one thing necessary to stimulate the growth and development of that neglected part of Ontario."

The Commissioner then referred to previous efforts to settle the territory which had resulted in failure. Seven townships had been laid out in the most desirable sections upwards of ten years before, and land offered to settlers at 20c per acre, but the average annual sales during that period had only amounted to 498 acres, and the greater part of the land sold was subsequently abandoned as unfit for cultivation. It therefore became evident that the only means of opening up the country for settlement was through lumbering enterprise. The report continued :—

"In view of the exceptional condition of the country, the timber being open to wholesale plunder along an uninhabited frontier, where every facility exists for easy transport of logs by towage to the shores of the United States, to prevent which would entail on the Department a large amount of outlay ; the recurrent destruction of the valuable staple by fires, the facts as given with respect to the sale of lands, showing clearly that in the absence of some auxiliary inducement, it would be vain to expect them to be taken up for actual settlement, the adoption of such steps as would meet the exigency in its several phases became absolutely necessary.

"The only action open to the Department under the circumstances was to offer the Timber Berths for sale at public competition by which the territory would be placed in such a position that its resources could be properly and advantageously controlled, and hundreds of millions of feet of valuable lumber saved to the Province, which would otherwise be destroyed by fire or plundered and carried away."

Lake Superior Lands.

In order to supply the local demand for lumber on the North Shore of Lake Superior, owners of patented lands and purchasers of lands in that territory, were granted by Order in Council passed June 29th, 1872, the right to acquire the pine trees on their lands on making the additional payment of 50c per acre. It was provided that in case they declined to purchase the pine trees upon their lands the Crown Lands Department might dispose of them at the same rate to other persons, or in case of their being more than one applicant, to the one paying the highest additional sum per acre for the pine.

SETTLER'S RIGHTS TO PINE TIMBER.

One inevitable consequence of the failure to discriminate between agricultural and non-cultivable lands in the past, has been the frequent clashing of interests between the settler and the lumberman. The former having taken up land in a district covered by timber license found that after he had acquired full ownership in all other respects, the pine growing on his lot could be cut and carried away by the lumberman at his pleasure. The latter on his part complained that the value of his limit was continually being impaired by the inroads of settlers, who took advantage of the conditions of the land-granting system to obtain title of occupancy to lots with the object of clearing the land of its timber. In the earlier days of settlement the difficulties arising from this source were not serious, the incoming agricultural population naturally sought the most fertile and accessible areas, the operations of the lumbermen being largely confined to a region too distant and sterile to attract those in search of homesteads. Under the system then prevailing the lumberman explored the country until he found a heavily timbered area and then applied for a license, which he usually got on terms which involved a very trifling return to the public in proportion to the value of the privileges granted. When the Government began to realize the worth of the timber resources of this country, and to endeavor to secure for the public treasury a larger share of their value, they adopted a policy of as far as possible disposing of the pine before throwing the land open for settlement, and in laying out timber limits, included large tracts of agri-

Lumbering and Settlement.

cultural land with the non cultivable districts which formed the principal pine-producing area. Moreover, the operations of the lumbermen, continued for a series of years, tended of themselves to attract settlement in and around the pine woods. The men employed in the lumber camps often squatted in the neighborhood, made small clearings and raised a little produce during the summer, looking to employment in the shanties in the winter time as their main source of subsistence. Thus small settlements grew up, and as population throughout the Province increased and it became necessary for those seeking homes to look farther afield, the demands of those engaged in the lumber trade and the opening up of the country through their operations attracted many to the debateable ground. Some who took up land in the lumbering region no doubt had an eye to the value of the timber on their locations as affording the means of eking out a livelihood during their first years of occupancy, while in other cases the conditions of settlement were abused by those who merely wished to acquire a colorable title in order to strip the land of its timber without intending to establish themselves permanently as settlers. A survey of the legislation respecting the disposal of public land shows that it was many years after the union of the Provinces before the difficulties arising out of the conflicting interests of

The Land Act of 1841.

lumbermen and settlers became sufficiently pronounced to render it necessary to define their respective rights by legal enactment. "An Act for the Disposal of Public Lands" passed immediately after the union in 1841 prohibited the abuses which had prevailed to so grave an extent before the era of Responsible Government, in the indiscriminate granting of large tracts of land under various pretexts, by limiting free grants of land to fifty acres to be made only to actual settlers. Neither in this act nor in an amending enactment passed in 1849 to remove doubts as to whether under the provisions of the former measure the Crown had power to release escheats and otherwise modify the law is there any mention made of the settler's rights in the timber growing upon his land. In 1853 further legislation extended the

area of lo s under the free grant system to 100 acres, and among the provisions of the act was one authorizing the Commissioner of Crown Lands to issue licenses of occupation to those intending to purchase and settle on public lands, giving them the right to occupy and maintain possession against trespassers as fully as they could do under patent. There is no reference in this act to the right to cut timber, or any definition of the respective interests of the settler and lumberman. "An Act respecting the Sale and Management of Public Lands," adopted in 1860, however, contained the following substitute clause in regard to licenses of occupation :—

"The Commissioner of Crown Lands may issue under his hand and seal, to any person who has purchased or may purchase, or is permitted to occupy or who has been entrusted with the care or protection of any public land or who has received or been located on any public land as a free grant, an instrument in the form of a License of Occupation, and such person or the assignee, by an instrument registered under this or any former act providing for registration in such cases, may take possession of and occupy the land therein comprised, subject to the conditions of such license and may thereunder, unless the same shall have been revoked or cancelled, maintain suits in law or equity against any wrongdoer or trespasser, as effectually as he could do under a patent from the Crown ; and such License of Occupation shall be prima facie evidence for the purpose of possession by such person, or the assignee under an instrument registered as aforesaid in any such suit ; but the same shall have no force against a License to cut timber existing at the time of the granting thereof."

License of Occupation.

This is the first enactment bearing on the respective claims of the license holder and the se'tler, and clearly determined the question so far, at all events as the position of the latter was concerned prior to the issue of his patent. It was followed up by an Order-in-Council dated May 27, 1869, which defined the rights of the parties somewhat more closely as follows :—

"All Pine Trees growing on or being upon any Public Land hereafter to be sold, and which at the time of such sale, or previously, was included in any Timber License, shall be considered as reserved from such sale, and such land shall be subject to any Timber License, covering or including such land, in force at the time of sale ; and such trees may be cut and removed from such land, under the authority of any such Timber License, while lawfully in force, but the purchaser at such sale or those claiming under him or her, may cut and use such trees as may be necessary for the purpose of building, fencing, and fuel on the land so purchased, and may also cut and dispose of all trees required to be removed in actual clearing said land for cultivation, but no pine trees except for the necessary building fencing and fuel as aforesaid shall be cut beyond the limit of such actual clearing before the issuing of the patent for such land, and all pine trees so cut and disposed of except for the necessary building, fencing and fuel as aforesaid) shall be subject to the payment of the same dues as are at the ti ne payable by the holders of licenses to cut timber or saw logs.

Settler's right to cut timber.

"All trees remaining on the land at the time the Patent issues shall pass to the Patentee.

"Provided however, that this order shall not apply to any land to be sold as mining land under "The General Mining Act of 1869," nor to land to be sold to any Free Grant Locatee under the Regulation or Order-in-Council bearing date this day."

The "Free Grants and Homestead Act of 1868" providing for the setting apart of land for Free Grants to actual settlers expressly reserved to the Crown all pine trees upon such locations, with the customary exception of timber for building, fencing, and fuel and those trees necessarily removed in clearing the land. All other pine trees cut before the issue of the patent were to be subject to timber dues. Trees remaining on the land at the time the patent issued were to pass to the patentee. An Order-in-Council issued May 27th, 1869 provided that all pine trees on land located or sold under the Free Grants and Homestead Act of

Free Grants Act of 1868

1868 should be subject to any timber license in force at the time of location or sale, or granted within five years subsequently and might at any time before the issue of the patent be cut and removed.

Doubts arose as to the construction of the Free Grants and Homestead Act of 1868, which rendered uncertain the right of the Commissioner of Crown Lands to issue licenses to cut timber upon lands located or sold to Free Grant settlers and some litigation resulted. This necessitated the passage of an explanatory act in 1877, by which the authority of the Commissioner to grant licenses including such lots was clearly laid down, and existing licenses covering Free Grant territory continued subject to any conditions and regulations specially applicable to such territory.

Licenses covering Free Grants.

Further amendments of the Free Grants and Homestead Act were made in 1880 by a provision under which the patents for land located under the Act should contain a reservation of all pine trees on the land, and allowing the license-holder within whose limits the lot was included to enter the uncleared portion of the land, and cut and remove trees at any time during the continuance of his license. The patentee of land located or sold under the act, was to be paid on all pine trees cut on his land, on which dues had been collected by the Crown, the sum of 25 cents per thousand feet board measure, for saw logs, and $3 on each thousand cubic feet of square or waney timber. In 1890 the rate of payment was increased to 33 cents per thousand feet for saw logs and $4 per thousand for square or waney timber.

Lumbermen's Dues to Settlers.

By an Order-in-Council dated the 18th day of May, 1899, it was provided that occupants, locatees, or purchasers of public lands, should not, unless under settlers licenses or for clearing, fencing or building purposes be permitted to cut or dispose of timber until they had gone into actual bona fide occupation of the land, built a habitable house of at least 16 by 20 feet, continuously resided there for six months and cleared and put under cultivation at least two acres.

Further Restrictions in 1899.

THE SQUARE TIMBER TRADE.

A resolution adopted by the Legislative Assembly on February 8th, 1878, called for returns showing the quantity of saw logs, square and waney pine timber cut on public and private lands for each of the years from 1868 to 1877 inclusive. The figures are chiefly of interest as indicating the great fluctuations of trade during this period, resulting mainly from the unsatisfactory condition of the British market. The totals for the years specified in feet, board measure, are as follows:

1868	177,390,000	1873	589,178,742
1869	375,620,200	1874	406,185,320
1870	300 900,850	1875	396,681,522
1871	358 096 400	1876	294,729 327
1872	669,569,542	1877	270,260,979

The report of Hon. T. B. Pardee, Commissioner of Crown Lands for the year 1879, dealt at some length with the waste of valuable material involved in the manufacture of square and waney pine timber for shipment to England. Estimating that in squaring timber one-fourth of the wood was destroyed, the Commissioner calculated on the basis of the returns showing the production of square pine for the ten years 1868-1877, that a direct loss to the province of $3,577,500 for this period had been sustained or an annual loss of $357,750. In addition, the loss owing to the destruction of timber by fires, which might have been confined to a limited area, and possibly extinguished before great damage had been done, had they not been fed by the debris of trees left to rot and dry, was incalculable. "It is time," continued the report, "that the Canadian lumberman

engaged in the square pine business should open his eyes to the alarming waste of a material, the value of which is increasing every year, (that in fact he is stripping his limits and disposing of his timber frequently at a loss, or at best during several years past, at a rate which seldom pays more than the cost of cutting down, squaring, drawing and taking to market, while at the same time he leaves in the woods as useless one-fourth of each tree he levels to the ground, one half of the timber so left being the most valuable part of the tree); and see the necessity of turning his attention to saw milling operations as a more economical mode of manufacturing his timber, by which he would not only benefit himself by turning to profitable account what is now so wantonly wasted, but the Province generally by increasing the field of labor for its people, while the Provincial Treasury would derive additional revenue from the material saved and utilized. * * *

Great Waste.

"It is to be hoped that those who hold timber limits and have confined their operations to the manufacture of square pine, will see the propriety and necessity of speedily reducing the production to the smallest possible extent, with the object of wholly withdrawing from the trade at an early day."

RIVERS AND STREAMS.

The use of all streams and rivers upon the waters of which timber could be floated to its destination, has from the outset of the timber trade been a most important consideration to the lumberman. Debarred of this means of getting out his annual cut, the possession of limits at a distance from the main water highways would be of little value to him. The right of the licensee to use all such watercourses contiguous to his property, whether originally adapted for floating timber or capable of being made so by the construction of slides, the removal of obstacles to navigation or other improvements, is in fact essential to the utilization of the timber growing on the higher and more remote areas, and its refusal would render lumbering over a large proportion of the public Domain an unprofitable pursuit.

In the year 1881 a question of vital interest to the lumber trade was raised in connection with the right of one lumberman to use floatable streams which had been improved by another, who regarded them as his private property, Peter McLaren, who had made improvements on two streams, tributaries of the Mississippi river in Lanark county, refused to permit W. C. Caldwell, another lumberman, to run his logs over the improvements. The matter came before the courts and the streams were held to be private property. As no fewer than 234 streams in the Province were in the same category, this decision, if allowed to stand, would have had a paralyzing effect upon the lumber trade, as the berths upon the upper waters of these streams could at any time be cut off from access to navigable waters at the will of the riparian owners below them. In the public interest, the Ontario Legislature, at the session of 1881, passed an act settling the question, by giving every one the right to float logs and timber down rivers, streams and creeks, but providing for the payment of reasonable tolls for the use of improvements. Before giving the text of this notable and fiercely contested measure, which for some years constituted one of the principal issues in Ontario politics, it may be well to glance at previous legislation on the same subject.

Caldwell vs. McLaren.

The earliest act dealing with the floating of lumber on streams is "an act to provide for the construction of aprons to mill dams over certain streams in this Province," passed in 1828. After reciting that "whereas it is expedient and found necessary to afford facility to the inhabitants of this Province engaged in the lumber trade, in conveying their rafts to market as well as for the ascent of fish in various streams now obstructed by mill dams, for the accommodation of those residing at a distance from the mouths thereof," it enacts as follows:

"That from and after the first day of May in the year of our Lord, one thousand eight hundred and twenty-nine, every owner or occupier or owners or occupiers of any

mill dam which is, or may be legally erected, or where timber is usually brought down the stream on which such mill dam is erected, or where salmon or pickerel abound therein in this Province, who shall neglect to construct or erect a good and sufficient apron to his or their dam as hereinafter set forth, shall for such offence, yearly and every year, forfeit and pay the sum of twenty-five pounds of current money of this Province, one moiety thereof to His Majesty, his heirs and successors for the public uses of the said Province, and the support of the Government thereof, and the other moiety of the said sum to any person who shall sue for the same in any of His Majesty's courts of record within this Province.

Improvements to Dams.

"And be it further enacted by the authority aforesaid—that every such apron shall be erected and constructed in the following manner, that is to say: such apron shall not be less than eighteen feet wide, by an inclined plane of twenty four feet eight inches, to a perpendicular of six feet, and so in proportion to the height, where the width of the stream will admit of it, and where such stream or dam is less than fifteen feet wide, the whole dam shall be aproned in a like manner, with the same inclined plane."

This Act was amended by an Act of the Canadian Parliament in 1849. The most important section of this later measure is the following, defining the right of the public to use streams for floating timber:

"And be it enacted, that it shall be lawful for all persons to float saw logs and other Timber, Rafts and Craft down all streams in Upper Canada, during the Spring, Summer and Autumn freshets, and that no person shall by felling trees or placing any other obstruction in or across such stream prevent the passage thereof. Provided always that no person using such stream, in manner and for the purposes aforesaid, shall alter, injure or destroy, any Dam or other useful erection in or upon the bed of or across any such stream, or to do any unnecessary damage thereto or on the Banks of such Stream. Provided there shall be a convenient Apron, Slides, Gate, Lock, or opening in any such Dam or other structure, made for the passage of all Saw logs and other Timber, Rafts and Crafts authorized to be floated down such streams as aforesaid."

Floatable Streams Common to all.

The Act of 1849 was sufficiently clear as to the right of the public to use "floatable" streams, but left untouched the point as to whether streams which required improvements to make them available for floating timber could be used for that purpose by anyone other than the owner, and if so, on what terms. The "Act for Protecting the Public Interest in Rivers, Streams and Creeks," first adopted in 1881 as the outcome of the McLaren vs. Caldwell controversy, reads as follows:

1. So far as the Legislature of Ontario has authority, all persons shall, subject to the provisions of this Act contained, have, and are hereby declared always to have had, during the spring, summer and autumn freshets, the right to and may float and transmit saw logs and all other timber of every kind, and all rafts and crafts, down all rivers, creeks and streams in respect of which the Legislature of Ontario has authority to give this power and in case it may be necessary to remove any obstruction from such river, creek or stream, or construct any apron, dam, slide, gate-lock, boom, or other work therein or thereon, necessary to facilitate the floating and transmitting such saw logs and other timber, rafts or crafts, then it shall be lawful for the person requiring so to float and transmit such saw logs and other timber, rafts and crafts, and it is hereby declared always to have been lawful, to remove such obstruction, and to construct such apron, dam, slide, gate lock, boom or other work necessary for the purposes aforesaid, doing no unnecessary damage to the said river, creek or stream, or to the banks thereof.

The Streams Bill of 1881.

2. In case any person shall construct in or upon such river, creek, or stream, any apron, dam, slide, gate-lock, boom or other work, necessary to facilitate the floating or transmission of saw logs or other timber, rafts, or crafts, down any such river, creek or stream, which was not navigable or floatable before such improvements were made, or shall blast rocks, or remove shoals or other impediments, or otherwise improve the floatability of such river, creek or stream, such person shall not have the exclusive right to the use of

such river, creek or stream, or to such constructions and improvements; but all persons shall have, during the spring, summer and autumn freshets, the right to float and transmit saw-logs and other timber, rafts or crafts, down all such rivers, creeks or streams, and through and over such constructions and improvements, doing no unnecssaray damage to the said constructions and improvements, or to the banks of the said rivers, creeks or streams, subject to the payment to the person who has made such constructions and improvements, of reasonable tolls.

3. The foregoing sections, and all the rights therein given, and all the provisions therein made and contained, shall extend and apply to all rivers, creeks and streams, mentioned in the first section of this Act, and to all constructions and improvement made therein or thereon, whether the bed of such river, creek or stream, or the land through which the same runs, has been granted by the Crown or not, and if granted by the Crown, shall be binding upon such grantees, their heirs, executors, administrators and assigns.

4. The Lieutenant-Governor in Council may fix the amounts which any person entitled to tolls under this Act shall be at liberty to charge on the saw logs and different kinds of timber, rafts or crafts, and may from time to time vary the same; and the Lieutenant-Governor in Council, in fixing such tolls, shall have regard to and take into consideration the original cost of such constructions and improvements, the amount required to maintain the same, and to cover interest upon the original cost, as well as such other matters as under all circumstances may, to the Lieutenant-Governor in Council, seem just and equitable.

5. The foregoing provisions of this Act shall apply to all such constructions and improvements as may hitherto have been made, as well as to such as may be in course of construction, or shall hereafter be constructed.

6. Every person entitled to tolls under this Act shall have a lien upon the saw logs or other timber passing through or over such constructions or improvements, for the amount of such tolls, such lien to rank next after the lien (if any) which the Crown has for dues in respect to such logs or timber, and if such tolls are not paid, any Justice of the Peace having jurisdiction within or adjoining the locality in which such constructions or improvements are, shall, upon the oath of the owner of such constructions or improvements, or upon the oath of his agent, that the just tolls have net been paid, issue a warrant for the seizure of such logs or timber, or so much thereof as will be sufficient to satisfy the tolls, which warrant shall be directed to any constable, or any person sworn in as a special constable for that purpose, at the discretion of the magistrate, and shall authorize the person to whom it is directed, if the tolls are not paid within fourteen days from the date thereof, to sell, subject to the lien of the Crown (if any) for dues, the said logs or timber, and out of the proceeds to pay such tolls, together with the costs of the warrant and sale, rendering the surplus on demand to the owner: Provided always that the authority to issue such warrant by such Justice of the Peace shall not exist after the expiration of one month from the time of passage of such logs or timber through or over any of such constructions or improvements.

7. Nothing in this Act contained shall be construed as interfering with the powers or rights of any company formed under the Act respecting Joint Stock Companies, for the construction of works to facilitate the transmission of timber down rivers and streams, being chapter one hundred and fifty-three of the Revised Statutes of Ontario, or with mill dams, or the right to erect and maintain mill dams on streams; and the law respecting mills and mill-dams being chapter one hundred and thirteen of the Revised Statutes of Ontario, and any other law conferring rights in mill-dams shall remain the same as if this Act had not been passed.

8 All persons driving saw-logs, or other timber rafts, or crafts, down any such river, creek, or stream, shall have the right to go along the banks of any such river, creek, or stream, and to assist the passage of the timber over the same by all means usual among lumbermen, doing no unnecessary damage to the banks of the said river, creek or tream.

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9. Every person entitled to tolls under this Act may make rules and regulations for the purpose of regulating the safe and orderly transmission of saw-logs, timber, rafts or crafts over or through such constructions or improvements, but no such rules or regulations shall have any force or effect until approved of by the Lieutenant Governor in Council, and the Lieutenent Governor in Council may revoke and cancel such rules and regulations so made and approved, and from time to time approve of new rules and regulations, which the person so entitled to tolls, as aforesaid, shall have the power to make.

10. If any suit is now pending the result of which will be changed by the passsge of this Act, the court or any judge of such courts, having authority over such suit, or over the costs, may order the costs of the suit, or any part thereof, to be paid by the party who would have been required to pay such costs if this Act had not been passed.

Act Disallowed.

The Act was disallowed by the Dominion Government which had taken Mr. McLaren's side in the controversy. The Ontario Legislature re-enacted the measure in 1882, and 1883, on each of which occasions the Dominion Government repeated its action. Simultaneously with the political struggle a legal conflict between the private contestants was going on in the Courts. When it reached the Privy Council the question was finally settled in favor of Caldwell. This legal victory decided the fate of the Act. When re-enacted for the fourth time in the year 1884 the Dominion Government yielded and allowed it to become law.

Slides and Dams.

Extensive provincial works have from time to time been undertaken in the construction of slides and the removal of obstacles to the floating of timber. The amount of public money expended on slides, etc., on the Ottawa River and it's tributary streams up to the 1st of January, 1845, was £24,682. An Act passed in that year made provision for levying tolls in connection with Public Works of this character, in accordance with which a schedule of slidage rates as authorized by the Governor in Council, was published in the Canada Gazette of May 3rd, 1845. The receipts for slidage dues on the Ottawa slides for 1846 were £946. The revenue from this source steadily increased with the growth of the lumber trade, until in 1866 the total receipts for slidage dues amounted to $63,483. Since Confederation these dues have formed part of the revenue of the Dominion.

The amount expended by private enterprise on improvements to facilitate the descent of timber down rivers and streams has considerably exceeded the public expenditure for that purpose. According to a return made on May 28th, 1853, by A. J. Russell, Surveyor of Crown Timber Licenses at Bytown, to an address of the Legislative Assembly, the approximate outlay by private individuals for this purpose on the Ottawa and its tributaries amounted to £151,847. In the same year an act was passed to authorize the formation in Upper Canada of Joint Stock Companies "for the purpose of acquiring or constructing and maintaining any dam or dams, slide or slides, pier or piers, boom or booms, or other work or works necessary to facilitate the transmission of timber down any river or stream in Upper Canada, and for the purpose of blasting rocks, or dredging or removing shoals, or other impediments or otherwise of improving the navigation of such streams for the said purpose."

Timber Slide Companies.

They were authorized to levy tolls upon timber passing downwards on a basis of 10 per cent. on the amount invested and the cost of maintaining and superintending the works.

In 1855 the Act was extended to Lower Canada and some amendments made, the proportionate rate on saw-logs being reduced to one-twelfth in place of one-eighth of the amount charged on sticks of pine timber.

The powers of Timber Slide Companies have been considerably extended by subsequent legislation, and the regulations governing their proceedings assimilated to those of Joint Stock Companies generally. The Timber Slide Companies Act of 1881 provides that Companies incorporated under the Ontario Joint Stock Companies Letters Patent Act may be granted by the Lieutenant-Governor-in Council the powers authorized by the Revised Statutes respecting Joint Stock Companies for the construction of works to

facilitate the transmission of Timber down Rivers and Streams. The rate of dividend may be fixed in the letters patent at not more than 15 per cent, and in such case the Commissioner of Public Works in considering the tolls to be allowed, shall have regard to such rate, but no such rate shall be so fixed for a longer period than 10 years. The existence of any company may be limited to a fixed term of years by the letters patent and upon the expiration of this period all the dams, slides, piers, booms and other works constructed by the Company become the property of the Crown without compensation to the Company or the shareholders.

The driving of saw-logs and the confusion and trouble arising from jams of logs in the water causing delay to the floating operations of other lumbermen and the mixing of logs belonging to different proprietors, was a frequent source of disputes and disagreements among lumbermen using the same stream. In 1887 the following act was adopted by the Legislature to regulate the driving of saw-logs and define the respective rights and liabilities of the parties concerned.

Act to Regulate Log Driving.

1. The following words wherever used in this Act have the following meaning, viz :—

1. "Logs" mean and include saw-logs, timber, posts, ties, cordwood, and other things being parts of trees.

2. "Water" means and includes lakes, ponds, rivers, creeks and streams.

2. Any person putting, or causing to be put, into any water in this Province, logs, for the purpose of floating the same in, upon or down such water, shall make adequate provisions and put on a sufficient force of men to break, and shall make all reasonable endeavours to break jams of such logs and clear the same from the banks and shores of such water with reasonable despatch, and run and drive the same so as not to unnecessarily delay or hinder the removal, floating, running or driving of other logs, or unnecessarily obstruct the floating or navigation of such water.

3. In case of the neglect of any person to comply with the provisions of the preceding section, it shall be lawful for any other person or persons desiring to float, run or drive logs in, upon or down such water, and whose logs would be thereby obstructed, to cause such jams to be broken and such logs to be cleared from the banks and shores of such water, and to be floated, run and driven in, upon and down such water.

4. The person or persons causing such jams to be broken or such logs to be cleared, floated, run or driven, pursuant to the last preceding section, shall do the same with reasonable economy and despatch, and shall take reasonable care not to leave logs on the banks or shores, and shall have a lien upon the logs in the jam or so cleared, floated, run or driven for the reasonable charges and expenses of breaking the jams and the clearing, floating, driving, running, booming and keeping possession of such logs, and may take and keep possession of such logs or so much thereof as may be reasonably necessary to satisfy the amount of such charges and expenses, pending the decision by arbitration as hereinafter provided for. The person taking possession of logs under this section shall use all reasonable care not to take such logs beyond the place of their original destination, if known, but may securely boom and keep possession of the same at or above such place. The owner or person controlling such logs, if known, shall be forthwith notified of their whereabouts, and if satisfactory security be given for the amount of such charges and expenses, possession of the logs shall be given up.

5. When the logs of any person upon or in any water in this Province, or the banks or shores of such water, are so intermixed with logs of another person or persons, that the same cannot be conveniently separated for the purpose of being floated in, upon, or down, such water, then the several persons owning or controlling the intermixed logs, shall respectively make adequate provisions, and put on a fair proportion of the men required to break jams of such intermixed logs, and to clear the same from the banks and

shores of such water with reasonable despatch, and to float, run and drive the same in, upon and down such water, and the costs and expenses thereof shall be borne by the parties in such proportions as they may agree upon, and in default of agreement as may be determined by arbitration as hereinafter provided for.

6. In case of neglect of any person to comply with the provisions of the last preceding section, it shall be lawful for any other person or persons whose logs are intermixed, to put on a sufficient number of men to supply the deficiency and break jams of such intermixed logs, and to clear the same from the banks and shores of such water, and to float, run and drive all such intermixed logs in, upon and down such water.

7. The person or persons supplying such deficiency and causing such jams to be broken, or such intermixed logs to be cleared, floated, run or driven pursuant to the last preceding section, shall do the same with reasonable economy and despatch, and shall take reasonable care not to leave logs on the banks or shores, and shall have a lien upon the logs owned or controlled by the person guilty of such neglect, for a fair proportion of the charges and expenses of breaking the jams, and the clearing floating, running, driving, booming and keeping possession of such intermixed logs; and may take and keep possession of such logs, or so much thereof, as may be reasonably necessary to satisfy the amount of such fair proportion of charges and expenses pending the decision by arbitration as hereinafter provided for. The person taking possession of logs under this section shall use all reasonable care not to take such logs beyond the place of their original destination, if known, but may securely boom and keep possession of the same at or above such place. The owner or person controlling such logs, if known, shall be forthwith notified of their whereabouts, and if satisfactory security be given for the amount of such proportion of charges and expenses, possession of the logs shall be given up.

8. When logs of any person, upon or in any water in this Province, or the banks or shores of such water, are intermixed with logs of another person or persons, then any of the persons whose logs are intermixed, may at any time during the drive require his logs to be separated from the other logs at some suitable and convenient place, and after such separation he shall secure the same at his own cost and expense, in such manner as to allow free passage for such other logs; provided that when any logs so intermixed reach their places of original destination, if known, the same shall be separated from the other logs and after such separation the owner shall secure the same at his own cost and expense.

9. The several persons owning or controlling the intermixed logs shall respectively make adequate provisions and put on a fair proportion of men required to make the separation, the cost and expense of such separation shall be borne by the parties in such proportions as they may agree upon, and in default of agreement, as may be determined by arbitration as hereinafter provided.

10. In case of neglect of any person to comply with the provisions of the last preceding section, it shall be lawful for any other person or persons, whose logs are intermixed, to put on a sufficient number of men to supply the deficiency, and the logs owned by or controlled by the person guilty of such neglect shall be subject to a lien in favor of the person or persons supplying the deficiency, for a fair proportion of the charges and expenses of making the separation, and for the reasonable charges and expenses of booming and keeping possession, and such person or persons may take and keep possession of such logs or so much thereof as may be reasonably necessary to satisfy the amount of such fair proportion of charges and expenses pending the decision by arbitration as hereinafter provided for. The person taking possession of logs under this section shall use all reasonable care not to take such logs beyond the place of their original destination, if known, but may securely boom and keep possession of the same at or above such place. The owner or person controlling such logs, shall be forthwith notified of their whereabouts, and if satisfactory security be given for the amount of such proportion of charges and expenses, possession of the logs shall be given up.

11. The security referred to in section 4, 7 and 10 may be by bond in form A in the schedule hereto, or by deposit of money, or in such other way as the parties may agree upon.

12. If it be determined by arbitration as hereinafter provided for, that any person acting under the assumed authority of this Act, has without just cause taken possession of or detained or caused to be taken possession of or detained logs of another person, or has after offer of security which the arbitrators may think should have been accepted detained such logs, or has through want of reasonable care left logs of another person on the banks or shores or has taken logs of another person beyond the place of their original destination, contrary to the provisions of sections 4, 7 or 10, then such first mentioned person shall pay to such last mentioned person such damages as the arbitrators may determine.

13. The lien given by sections 4, 7 and 10 of this Act, shall be subject to the lien (if any) of any person or corporation for tolls or dues for the use of any works or improvements made use of in running or driving such logs.

14. Nothing in this Act shall affect the liens or rights of the Crown upon or in in respect of any logs.

15. All claims, disputes and differences arising under this Act shall be determined by arbitration as hereinafter provided for and not by action or suit at law or in equity.

16. The person claiming that another person has not complied with the provisions of this Act, or claiming payment of any charges or expenses under this Act, or claiming a lien upon any logs, or claiming damages under section 12, shall give to such other person, notice in writing, stating the substance of the claims made, and appointing an arbitrator and calling upon such other person to appoint an arbitrator within ten days after the service of such notice; if such other person does not, within such ten days, appoint an arbitrator, the Judge of the County or District Court of the county or district, or the Stipendiary Magistrate of the provisional county or the district, as the case may be, in which the logs in connection with which the claim or part of the claim is made, or the major portion of such logs are situate at the time of the service of such notice, shall, on the application of the person giving such notice, appoint a second arbitrator; the two arbitrators so appointed shall, within ten days after the appointment of the said second arbitrator, appoint a third, if such two arbitrators do not within such ten days appoint a third, the said Judge or Stipendiary Magistrate shall, on the application of either party, appoint such third arbitrator.

17. If any arbitrator refuses to act or becomes incapable of acting, or dies, and the parties do not concur in appointing a new arbitrator, the said Judge or Stipendiary Magistrate shall, on the application of either party, appoint such new arbitrator.

18. The parties may agree that the arbitration shall be by one arbitrator instead of by three, and they may either agree upon the arbitrator or may apply to the said Judge or Stipendiary Magistrate to appoint one.

19. The person on whom a claim is made and notice of arbitration served, may, at any time before the arbitration is entered upon or with leave of the arbitrators during the arbitration, give the claimant notice in writing by way of counterclaim, stating the substance of any claim arising under this Act, which such person may have against the claimant, and such counterclaim, unless barred under section 26, shall be determined in the arbitration and an award made with respect thereto.

20. The three arbitrators or the sole arbitrator, as the case may be, shall proceed with the arbitration with due despatch, and shall make their or his award in writing, under their or his hand within thirty days from the date of the appointment of such arbitrator, or the last of such three arbitrators, as the case may be. The parties may, by consent in writing, from time to time enlarge the time for making said award, or the said Judge or Stipendary Magistrate may from time to time, either before or after the expiration of said time, enlarge the time for making said award.

21. The arbitrators or arbitrator may require the personal attendance and examination upon oath of the parties and their witnesses, and the production of all books and documents relating to the matters in question, and may determine by whom the expense of the arbitration, and the costs of the parties shall be paid, and the amount thereof; any

costs or expenses payable to a person having a lien upon logs, by virtue of this Act shall be added to the amount of such lien.

22. Chapter 64 of the Revised Statutes of Ontario intituled an Act respecting the cost of Arbitrations applies to arbitrations under this Act.

23. The person or persons having a lien upon logs by virtue of this Act may sell the same in order to realize the amount of such lien, and of the costs, charges and expenses connected with the sale. The arbitrators, or arbitrator, shall determine either by their award, or by separate document, the time, place and manner of such sale, and may, from time to time, give directions, in writing, respecting such sale, and the realization of such lien, and of the costs, charges and expenses connected therewith.

24. The award and directions in writing of any two of the three arbitrators, or of the sole arbitrator, as the case may be, shall be final and binding upon, and shall be obeyed by the parties, and shall be valid, notwithstanding any want or defect of form, or other technical objection.

25. The said Judge or Stipendiary Magistrate, as the case may be, may, on the application of either party, grant an order to compel any person or persons to attend and give evidence upon the arbitration, and to produce all books and documents relating to the matters in dispute, and obedience to such order may be enforced in the same way as obedience to any order of such Judge or Stipendary Magistrate made in a cause or matter pending before him in court may enforced, and the person neglecting or refusing, without lawful excuse, to obey such order shall be liable to an action by any person aggrieved by such neglect or refusal for the damages sustained by him thereby.

26. All claims arising under this Act shall be made by notice in writing under section 16, within one year after the same have arisen, otherwise they shall be barred.

27. The Lieutenant-Governor-in-Council may, from time to time by proclamation published in the Ontario Gazette, declare that any portion or portions of this Province, or any water therein shall, until further proclamation, be exempt from the operation of this Act, and thereupon the same shall be exempt accordingly.

28. Any portion or portions of the Province, or any water therein exempted by proclamation from the operation of this Act, may by proclamation published in the Ontario Gazette, be again brought within its operation until further proclamation, and so on from time to time.

29. This Act may cited and known as The Saw Logs Driving Act, 1887.

In 1887 some important changes in the tariff of timber dues were made. Standing timber had considerably increased in value since the rates then in operation were fixed, and the public interest required that the Province should receive a share in the increased value. Accordingly the rate of dues upon saw logs was advanced from 75 cents per thousand feet to $1.00, or 33⅓ per cent., and upon square and waney timber from 1¼ cent per cubic foot to 2 cents. At the same time the ground rent was increased from $2 per mille to $3, the changes taking effect on May 1st. An extensive sale of timber limits was held in 1887, certain territory on the Muskoka and Petewawa waters having become dangerously exposed to fire owing to the advance of settlement. An area of 459 square miles was disposed of, the prices being considerably in advance of those obtained at any previous sale. A sum of $1,313,755 was realized, being an average of $2,859 per mile.

Timber Dues Increased.

In 1892 a radical departure in the methods of disposing of timber limits was effected by restricting the rights conferred by new licenses to the cutting of red and white pine only. All licenses issued previous to this date had included all kinds of timber, but it was pretty generally understood that the lumbermen in estimating the value of limits only took the pine into account, regarding the small quantities of hemlock, spruce and cedar which might be available as so much to the good, and attaching no value to the various hardwoods. The Department therefore,—anticipating that in future these kinds of timber, which, under the old system were practically thrown in with the pine for

Licenses to Cut Pine Only.

nothing, might prove a valuable asset, which might be retained in their hands without lessening the revenue derivable from the pine timber—put up for sale under licenses, including the pine only, timber berths situated in the Nipissing, Algoma, Thunder Bay and Rainy River districts, aggregating 633 square miles, on which the dues were increased one-fourth, viz.: on saw logs, from $1 to $1 25 per thousand feet, board measure, and on square timber from $20 to $25 thousand feet cubic. The high prices received notwithstanding this increase, which exceeded by a large amount those of any previous sale, afforded sufficient evidence of the correctness of the position assumed. The total amount received was $2,315,000, an average of $3,657.18 per square mile. The highest figure obtained at any former sale was in 1887, when the heaviest individual bonus paid was $6,300, and the average for all the berths disposed of at that time was $2,859.

Algonquin Park Timber.

A portion of the territory disposed of in 1892 for which the highest price was paid was included in the boundaries of Algonquin Park. Much of the area of this reserve, which had been previously sold, was under the old conditions of license, giving the limit holder the right to cut all kinds of timber. Being apprehensive of danger to the Park as a game and timber preserve, should the lumbermen claim their full privileges under the old form of license, the Government, under the power contained in all licenses, reserving the authority to alter the regulations, in 1898 withdrew the right to cut other woods than pine, in connection with all licenses for limits included within the area of the Park. Naturally there was some dissatisfaction among the limit owners, as the birch and spruce timber was beginning to be valuable, but as these trees were not of much marketable value at the time that the original purchase was made, the change was not felt to be a very great hardship and the regulation remains. As regards other licenses for berths sold previous to 1892 conveying the right to cut all kinds of timber, outside of Algonquin Park no change has been made as yet, and the yearly renewal for these limits is without restriction.

ONTARIO CULLER'S ACT.

An act providing for the licensing of Cullers in Ontario was adopted in 1890. Under its provisions it was made incumbent upon all persons cutting saw-logs on Crown Lands to cause to be kept such records and books as required by the Crown Lands Department, to be open at all times to inspection by any Crown Timber Agent, Crown Timber ranger, or other officer of the Department, and to be attested under oath at the end of the season by the person who has made the entries therein and handed over to the officer of the department authorized to receive the same. The Lieutenant Governor in Council was authorized to appoint a board or boards of examiners each consisting of three persons, to test the ability and knowledge of all applicants desiring to be licensed to cull and measure saw-logs out of Crown Lands. A license may be issued to any person reported by a board of examiners as competent to perform the duties of culler. After the passing of the act no person other than a licensed culler was to make measurement of saw logs cut on Crown Lands for the purposes of a return to the Crown Lands Department unless in cases where the services of a licensed culler were not procurable, when the Commissioner of Crown Lands was authorized to issue a temporary permit to any trustworthy and skilled person to act as culler, The duties of cullers were thus defined by the act:

"It shall be the duty of every culler to measure fairly and correctly to the best of his skill, knowledge and ability, all saw-logs which he may be employed to measure, making only such deductions as are necessary to allow for the rots or other defects, and to enter in his book of record, for the purpose of return to the Crown Lands Department, what he believes to be the proper contents of the log, noting also the number of saw logs rejected as worthless, commonly called culls.

"Upon all logs culled or rejected as wholly worthless he shall write the word 'cull' in plain letters, but he shall not mark 'cull' upon any log which is intended to be hauled to any river, lake or stream for the purpose of being driven to a mill."

All licensed culliers were required to submit their books and records of measurement for the inspection of Crown Lands agents or other officials of the department when called upon to do so, to give all information asked for if in their power, and furnish statements as required by the Department or its agents. At the end of the season every culler was required to make a sworn statement to the Department, showing the number of pieces measured and accepted and their dimensions, and also the number of pieces rejected as worthless. The penalty for neglect or refusal to carry out the provisions of the act was cancellation of the culler's license. Improper measurements or the making of false returns were similarly punishable with an additional penalty of a fine of not less than $20 or more than $100. The section forbidding unlicensed persons to make measurements of saw logs for the purposes of returns to the Crown Lands Department were not applicable to the operations of any lumber company, person or firm whose gross annual output was under 250.00 feet, board measure.

The Act was brought into force on January 1st, 1891, by a proclamation by the Lieutenant Governor in Council.

WOODMAN'S LIEN FOR WAGES.

By "The Woodman's Lien for Wages Act," enacted at the session of 1891, laborers engaged in lumbering in some districts were accorded similar rights to those extended to mechanics by existing legislation, by giving them a lien on the produce of their labor for the amount due as wages. The 3rd section of this measure provides that:

"Any person performing any labor, service or services in connection with any logs or timber in the districts of Algoma, Thunder Bay and Rainy River, shall have a lien thereon for the amount due for such labor, services or services, and the same shall be deemed a first lien or charge on such logs or timber, and shall have precedence of all other claims or liens thereon, except any lien or claim which the Crown may have upon such logs or timber for or in respect of any dues or charges, or which any timber slide company or owner of slides and booms may have thereon for or in respect of tolls."

The Act provides for the issue of an attachment, on an affidavit by the claimant that he has good reason to believe that the logs or timber are about being removed from the Province, or that the person indebted to him has absconded with intent to defraud his creditors, or that the saw logs or timber are about being cut into lumber so that they cannot be identified. In case the claim is established on a hearing before a Judge, the logs or timber are in default of payment to be sold in the same manner as goods taken in execution for the satisfaction of the judgment. Any number of lien-holders may join in taking proceedings under the Act.

By an amendment adopted in 1894, the provisions of the Act were extended to the districts of Muskoka and Parry Sound.

FOREST PROTECTION AND REFORESTRATION.

Fire Protection.

The great danger to the forests is the ravages of fire, which becomes largely increased with the advance of settlement, the extension of the railway system and the presence during the summer season of large numbers of persons in the woods. Great inroads have been made upon our woodland resources by devastating forest fires and with the increasing value of timber, the necessity of taking some action to check this cause of destruction, early forced itself upon the attention of the Government.

In 1859, Mr. P. M. Partridge, Superintendent of Woods and Forests appears to have referred to the question of fire protection in a general report made to the Commissioner of Crown Lands. This report, which was not printed, does not seem to have been productive of any legislation on the subject, and in 1867, the matter having become urgent because of the greater activity among mining prospectors in the Hastings and Ottawa dirtricts, Mr. Partridge again addressed the Commissioner of Crown Lands as follows:—

MEMORANDUM FOR THE HON. THE COMMISSIONER OF CROWN LANDS.

The undersigned respectfully submits the accompanying extract from his General Report of 24th March, 1859. "On the necessity of taking some immediate action for the preservation of the Forests of the country from fires."

As it is probable that very extensive prospecting operations for gold will be carried on next summer in parts of the territories of Messrs. Way and Russell and that the numerous camps and other fires which the prospectors will undoubtedly make use of, will be additional sources of danger to our Forests, the undersigned would suggest that it is desirable that such precautionary measures be taken as the present laws admit of, and the interests of the lumber trade and the country require.

If a Gold Mining Divison is organized, and an Inspector appointed, he might be clothed with such powers as the laws allow. The powers mentioned in Section 3 of the Gold Mining Act (27-28 Vict. Cap. 9,) taken in connection with sections 25 and 28 of Cap. 93, Con. Stats., Canada, might perhaps be made applicable in the premises. A cautionary clause might be inserted in all Gold Mining Licenses for the future.

(Sgd.) P. M. PARTRIDGE,

Supt. Woods and Forests.

OTTAWA, 21st February, 1867.

WOODS AND FORESTS,

P. S.—The undersigned had intended to add that the Law Officers of the Crown might be consulted as to what steps should be taken.

P. M. P.

The powers referred to in the Gold Mining Act of 27-28 Vict., were those vesting the Inspectors in Mining Districts with magisterial powers charged with the enforcement of the law, and sections 25 and 28 of Cap. 93 Consolidated Statutes of Canada refer to the punishment for arson by which any one doing malicious damages to trees or shrubs on private grounds or elsewhere to the extent of twenty cents were liable to fine or imprisonment.

This memorandum appeared to meet with the approval of the Commissioner, Hon. A. Campbell, who added to it the following instructions:—

(1) Create a gold mining division to embrace the townships.

(2) Prepare a form to be used as an appendix to such license, making provision as far as possible against danger from fires.

(3) Instruct Inspector to serve and give him reference to the sections of the 93 chap. Consolidated Stat. quoted by Mr. Partridge.

(4) In townships where no municipal organization exists, persons may be selected as suggested by Mr. Partridge for the duty he proposes (persons left by lumbermen in charge of their farms would probably be found very suitable men.)

(Sgd.) A. C.

23rd Feb. '67.

No action appears to have been taken at this time, perhaps owing to the pressure of business consequent upon the confederation of the Provinces consummated on July 1st of that year, (1867) when the Government of Upper Canada was permanently moved to Toronto.

Prevention of Forest Fires.

During the session of 1878 there was enacted the first legislation looking to the suppression, or rather, the prevention of forest fires. This was entitled "an Act to Preserve the Forests from destruction by fire."

Lt.-Governor may proclaim a fire district.

1. The Lieutenant-Governor may, by proclamation made by him from time to time, issued by and with the advice and consent of the Executive Council, declare any portion or part of the Province of Ontario to be a fire district.

Publication of fire district.

2. Every proclamation under this Act shall be published in the *Ontario Gazette*, and such portion or part of the Province as is mentioned and declared to be a fire district in and by the said proclamation, shall, from and after the said publication, become a fire district within the meaning and for the purposes of this Act.

Revocation.

3. Every such portion or part of the Province mentioned in such proclamation shall cease to be a fire district upon the revocation by the Lieutenant-Governor-in-Council of the proclamation by which it was created.

Fires not to be started except for certain purposes and in certain periods.

4 It shall not be lawful for any person to set out, or cause to be set out or started, any fire in or near the woods within any fire district, between the first day of April and the first day of November in any year, except for the purpose of clearing land, cooking, obtaining warmth, or for some industrial purposes, the obligations and precautions imposed by the following sections shall be observed.

Precautions to be taken in case of clearing land.

5 Every person who shall, between the first day of April and the first day of November, make or start a fire within such fire district for the purpose of clearing land shall exercise and observe every reasonable care and precaution in the making and starting of such fire, and in the managing of and caring for the same after it has been made and started, in order to prevent such fire from spreading or burning up the timber and forests surrounding the place where it has been so made and started.

Precautions in case of cooking, etc.

6 Every person who shall between the first day of April and the first day of November, make or start within such fire district a fire in the forest, or at a distance of less than half a mile therefrom, or upon any island for cooking, obtaining warmth, or for any industrial purpose, shall—

1. Select a locality in the neighborhood in which there is the smallest quantity of vegetable matter, dead wood, branches. brushwood, dry leaves, or resinous trees;

2. Clear the place in which he is about to light the fire by removing all vegetable matter, dead trees, branches, brushwood and dry leaves from the soil within a radius of ten feet from the fire;

3. Exercise and observe every reasonable care and precaution to prevent such fire from spreading, and carefully extinguish the same before quitting the place.

Precautions in case of matches, burning substances, etc.

7. Any person who shall throw or drop any burning match, ashes of a pipe, lighted cigar, or any other burning substance, or who shall discharge fire-arm within such fire district, shall be subject to the pains and penalties imposed by this Act, if he neglect completely to extinguish before leaving the spot the fire of such match, ashes of a pipe, cigar, wadding of the fire-arm, or other burning substance.

8. Every person in charge of any drive of timber, survey or exploring party or of any other party requiring camp-fires, for cooking or other purposes within such fire district, shall provide himself with a copy of this Act, and shall call his men together and cause said Act to be read in their hearing, and explained to them at least once in each week during the continuance of such work or service. Act to be read to employees by heads of surveys, lumberers, etc.

9. All locomotive engines used on any railway which passes through any such fire district or any part of it, shall, by the company using the same, be provided with and have in use all the most approved and efficient means used to prevent the escape of fire from the furnace or ash-pan of such engines, and that the smoke stack of each locomotive engine so used shall be provided with a bonnet or screen of iron or steel wire netting, the size of the wire used in making the netting to be not less than number nineteen of the Birmingham wire guage, or three sixty-fourths parts of an inch in diameter, and shall contain in each inch square at least eleven wires each way at right angles to each other, that is in all twenty-two wires to the inch square. Precautions as to locomotives.

10. It shall be the duty of every engine driver in charge of a locomotive engine passing over any such railway within the limits of any such fire district, to see that all such appliances as above-mentioned are properly used and applied so as to prevent the unnecessary escape of fire from any such engine as far as it is reasonably possible to do so. Duty of engine drivers.

11. Whosoever unlawfully neglects or refuses to comply with the requirements of this Act in any manner whatsoever, shall be liable upon a conviction before any justice of the peace to a penalty not exceeding fifty dollars over and above the costs of prosecution, and in default of payment of such fine and costs, the offender shall be imprisoned in the common gaol for a period not exceeding three calendar months; and any railway company permitting any locomotive engine to be run in violation of the provisions of the ninth section of this Act shall be liable to a penalty of one hundred dollars for each offence, to be recovered with costs in any court of competent jurisdiction. Penalty for non-compliance with this Act.

12. Every suit for any contravention of this Act shall be commenced within three calendar months immediately following such contravention. Time for bringing action.

13. All fines and penalties imposed and collected under this Act shall be paid one-half to the complainant or prosecutor and the other half to Her Majesty for the public use of the Province. Disposal of fines.

14. It shall be the special duty of every Crown Land agent, Woods and Forest agent, Free Grant agent, and bush ranger, to enforce the provisions and requirements of this Act, and in all cases coming within the knowledge of any such agent or bush ranger to prosecute every person guilty of a breach of any of the provisions and requirements of the same. Government agents to enforce this Act.

15. Nothing in this Act contained shall be held to limit or interfere with the right of any party to bring and maintain a civil action for damages occasioned by fire, and such right shall remain and exist as though this Act had not been passed. Act not to interfere with right of action for damages occasioned by fire.

Under this Act the following "Fire Districts" were created.

DESCRIPTION OF "FIRE DISTRICTS" UNDER CAP. 23 OF THE STATUTES OF ONTARIO.

District No. 1.—Commencing at a point on the north shore of Lake Huron where Provincial Land Surveyor Albert P. Salter's meridian line between ranges numbers twenty-one and twenty-two west intersects the water's edge, said point being the south-west angle of the Township of Plummer; thence easterly, following the turnings and windings of the shore along the water's edge of Lake Huron and the Georgian Bay to

the mouth of French River; thence south easterly, along the easterly shore of the Georgian Bay, and taking in Parry Island, to the northwest angle of the Township of Matchedash; thence south-easterly along the westerly boundaries of the Townships of Matchedash and North Orillia to the south-west angle of North Orillia; thence north-easterly along the southerly boundary of North Orillia to the waters of Lake Couchiching; thence easterly across said lake to the south-west angle of the Township of Rama; thence easterly along the south boundaries of the Townships of Rama, Dalton, Digby and Lutterworth to the north-west angle of the Township of Galway; thence southerly along the westerly boundaries of the Township of Galway and Harvey to the south-west angle of Harvey; thence easterly along the south boundaries of the Townships of Harvey, Burleigh, Methuen, Lake and Tudor, to the north-west angle of th Township of Elzevir; thence southerly along the west boundary of Elzevir to the south west angle of said township; thence easterly along the south boundaries of the Townships of Elzevir, Kaladar, Kennebec, Olden, Oso and South Sherbrooke, to the south-east angle of the Township of South Sherbrooke: thence north-westerly along the easterly boundaries of the Townships of South and North Sherbrooke to the southerly boundary of the Township of Lavant; thence north-easterly along the southerly boundaries of the Townships of Lavant and Darling, to the south-easterly angle of the Township of Darling; thence north-westerly along the easterly boundaries of the Townships of Darling and Bagot to the north easterly angle of the Township of Bagot; thence south-westerly along the northerly boundaries of the Townships of Bagot and Blithfield, to the easterly boundary of the Township of Brougham; thence north-westerly along the easterly boundaries of the Townships of Brougham, Grattan, Wilberforce and Alice, to the waters of the Upper Allumette Lake; thence north-westerly, following the water's edge of said lake and the Ottawa River to the head of Lake Temiscamingue; thence due north along the boundary between the Province of Ontario and Quebec to the northern boundary of the Province of Ontario; thence westerly along the said northern boundary to its intersection with the production northerly of Provincial Land Surveyor Albert P. Salter's meridian line between the said ranges numbers twenty-one and twenty-two west, and thence southerly along said meridian line produced to the place of beginning.

District No. 2.—All that part of the said Province lying west of Provincial Land Surveyor Albert P. Salter's meridian line between ranges twenty-one and twenty-two west, near Bruce Mines, in the District of Algoma, and west of the said meridian line produced to the northern boundary of the Province, the said meridian line being the western boundary of the Fire District established by the Proclamation of March 27th, 1878.

It will be observed that this Act applies only to settled districts and portions of the Province under process of settlement, while no provision was made for protection of timber limits not under municipal government, where the losses from fire were frequent and heavy, particularly after lumbering operations and the consequent inflammable debris covering the forest floor.

Fire Ranging System Proposed.

In 1884 the great loss from fire becoming increasingly apparent, Mr. Aubrey White, then chief clerk of the Woods and Forests Branch of the Crown Lands Department addressed the following memorandum to the Commissioner of Crown Lands.

TORONTO, March 30th, 1885.

SIR,— I take the liberty of drawing your attention to the great destruction of the timber wealth of this Province, which is caused mainly by the careless setting out of fire at dangerous points in the forest during the heat of summer by settlers, lumbermen, hunters, explorers and others, which, though of apparently small amount when started, have often become vast conflagrations, laying waste miles of the forest, and destroying untold millions worth of public property.

I am well aware that this matter has for some time been a cause of much anxious consideration to you, and it is not to dwell upon the necessity for taking some action—as

that is universally admitted—that I now address you, but to submit for your consideration a plan or system under which much may be done to prevent such numerous and extensive fires as we have witnessed in the past, by exercising some supervision over the public domain, whereby, as far as possible, the starting of fires—except in cases of necessity—may be prevented, and fires which are assuming dangerous proportions may be controlled or extinguished, and generally taking such action as will, with a reasonable expenditure of money, reduce to a minimum the loss of timber by bush fires.

The period of the year during which this supervision would be required—which may be called the dangerous period—is included between the 1st day of May and the 1st day of October, as between these dates the bush, as a rule, is dry and inflammable, and fire runs with great celerity—while during the rest of the year, extending from October to May, the ground is covered with snow, or the moisture in the bush is such as to render any extensive fire impossible.

I would, therefore, suggest that during the dangerous period of each year, a certain number of men, to be called Fire Rangers, shall be stationed at points in the licensed and unlicensed lands of the Province, where from settlement, railway construction, lumbering or any other cause, fire is so frequently used as to be a source of danger.

There is great difficulty in arriving at an accurate estimate of the number of men required to protect a section of country, let alone the whole Province, as some limits, owing to the nature of the bush, prevalence of lakes, streams and swamps, sparse settlements, etc, will not require as close supervision as others, therefore it would be well nigh impossible for me here to state the number of men which would be adequate to make the service effective. When we come to place the men, the licensees—who are quite familiar with the topography, etc., of their limits—will be able to give us a fairly correct idea of how many men will be necessary on each limit; thus we will be able to deal satisfactorily with the licensed area—leaving the unlicensed, unsettled, and consequently less exposed parts of the Province to be dealt with by the Department as necessity may arise. I would therefore recommend that each licensee should be notified that these men would be appointed, and invited to state how many men would be required to properly guard his limits, the Department having the right, after consultation with the license holder affected, either to decrease or increase the number suggested, should it be thought expedient to do so.

The next point, and a most important one, is the selection of the men, as unless we get active, energetic men, of cool temper and good judgment, we shall not make the scheme a success; but in addition to the possession of the above qualities, they must have a thorough bush training, and be quite familiar with the limit on which they are stationed. Such men will know the various settlers upon a limit, their residences, habits—whether careless or the reverse—the parts of the limits which are most exposed or inflammable and need the closest watching, and above all, they will have practical ideas as to the proper steps to take in order to control or suppress a bush fire. Bearing all this in mind, and the necessity of having some further and more direct supervision over the men—scattered over an immense area as they will be—than could be exercised by the Department, I think the selection of them should also be left with the various licensees, as they will most certainly know the men best qualified to fulfill the duties of the position, the Department, of course, reserving the right to reject or remove any man considered unfit for the position, either from incapacity or through harassing of settlers, for where settlement and lumbering are going hand in hand, as they must do in this Province, it is of the utmost importance that no friction should arise between the settler and licensee, as should ill blood between the two classes be created, the whole system would prove unsuccessful, nor could any be devised which would preserve the forest if settlers were moved by malice to destroy it. The whole system presumes a good understanding between settler and licensee, and as I know that lumbermen now fully appreciate the folly and danger of quarrelling with settlers, I see no objection to allowing them to select the men, and what is of great importance is this, that these men feeling they owe their appointments to the licensee, and being under his supervision, there is every reason to believe that they will be more watchful and diligent than if they were only supervised by and responsible to the Department of Crown Lands.

The next point is the expense of the system and how it should be borne. It seems to me that the interests of the Government and the licensee should be regarded as equal in this matter, and that the whole thing being in the nature of an experiment, each, for the present, should bear half of the expenses not only of the Rangers but of suppression of fires and costs of prosecution under the Fire Act. The men should receive the following rates of pay, subject to reduction or increase as experience is gained: Ranger in charge of limit, three dollars per day; assistants, two dollars per day, which amount should be understood to cover board and all expenses, except such as are caused by special emergencies or enforcement of the Fire Act; they should be paid as their necessities required, which payments, and all expenses incurred, should be made upon application, forwarded through and recommended by the licensee. At the close of the season they should send in a proper account, upon a form supplied from here, and duly attested by affidavit, showing the number of days on duty and any special expenses incurred, with vouchers for the same, forwarding this account through the licensee, who should recommend it for payment. The licensee should then be debited with half the total expense, which should remain a charge on the limit, payable before renewal of license.

The clothing of the men with authority is the next consideration. This can be done by appointing them bush and Fire Rangers and instructing them from here as such, which will make them ex-officio officers to enforce the provisions of the Fire Act, under section 14 of the said Act. This will arm them with all necessary authority, and lend official prestige to them which will be found a valuable factor in dealing with settlers. This completes the scheme so far as its creation and organization is concerned, and we will now discuss their action in the field.

In instructing them from here it is not possible to frame rules which shall meet every emergency, and as they are presumed to be practical men it will be well to leave them plenty of latitude to deal with each case in such manner as their knowledge and presence on the spot may suggest; at the same time it will be only proper that I should indicate briefly some of the more important of the duties which I think would devolve upon them.

Upon the ranger in charge of the limit will devolve the responsibility for any action taken in preventing or suppressing fires, and the expenses incurred in connection therewith. He will be furnished with a diary, in which he must enter the movements of himself and assistants, anything of interest or importance occurring on the limit, the the nature of the country and timber where they travel, etc., so that the Department and licensee may be fully informed about the limit; its topography and the timbered portions of it. This diary must be sent in at the end of the season, and should be accompanied with any report or recommendation in the direction of improving the scheme, which experience may suggest. Having been supplied with a number of posters of the Fire Act, they will, on reaching the scene of their duties, proceed to post them up in public and conspicuous places, and being also supplied with copies of the Act in pamphlet form, they will distribute these among settlers, residents or frequenters of the limit, explaining to them the provisions of the Act, calling particular attention to the penalty for the infraction thereof, and they will endeavor to inculcate a spirit of care and caution in setting out and preventing the spread of fires, informing them of their headquarters, inviting their co-operation and assistance to punish those who wilfully or carelessly disregard the Act, and, doing everything, in short, to secure the sympathy, confidence and support of the settlers. By doing these things, and keeping continually on the move, they will impart a thorough knowledge of the Fire Act, and keep alive an active interest in its enforcement.

In travelling through a limit where the country is broken or circumstances will permit, an elevated position should occasionally be sought, as that a view of the surrounding country can be obtained, by which they will ascertain the locality of any fire, and in the event of such being discovered where there is not a settler, or if it should be assuming proportions which would indicate danger, they should proceed at once to the spot and take steps to extinguish or control it.

Where settlers are living in a pine country, and require to burn their fallows or choppings during a dry period, the Rangers should impress upon them the necessity of choosing a calm evening to set out fire, and if the surroundings are dangerous, he should ask to be notified of the time, so that he might be on the spot and prepared to call in assistance if the fire should be spreading.

In the event of an emergency arising, that is to say, should a fire assume such proportions as to be beyond control of the Ranger and his assistants, or should the springing up of a wind render it advisable that a fire should be promptly extinguished, the superintending Ranger should be instructed that he may engage such outside assistance as will enable him to accomplish this object, paying the men employed reasonable wages, such as ordinarily prevail in the locality. He should also at once advise the licensee and the Crown Lands Department, by telegraph, if possible, so that some one to represent one or both should be sent, if thought desirable. On suppression of the fire the Ranger in charge should report all the facts to the Department, accompanying his report with pay list of the men employed, shewing number of days, names and rates paid. These should be sent through the licensee, who should recommend them for payment, if reasonable, the Department then paying the expense and debiting half to the licensee.

The foregoing is a sketch of the organization, rates of pay and duties of the Fire Ranging force proposed to be created, which can be modified or improved as experience is gained. I have not thought it necessary to describe minutely the various modes of combating bush fires, as the necessary steps depend largely upon the extent of the fire, state of the weather, nature of the localities and timber, and the persons on the ground who will be familiar with these points can best be left to deal with each fire as it occurs. What I desire is to obtain your approval of the principle of establishing some body to prevent the fearful destruction that has been going on, and I think I may fairly claim that the scheme I have now suggested is simple, will be far-reaching and effective, and comparatively inexpensive. You are aware that last year we tried the experiment of sending one of our ordinary Ranging staff on Mr. McLaren's limits, and another on McLachlan Brothers, keeping them there during the summer, and that these gentlemen have written testifying to the good effect, thanking the Department, and sending their cheques for half the expense.

In conclusion, I would suggest that an appropriation of five thousand dollars be taken for this service this season, and I am well satisfied that once the scheme is put in practical operation, and its good effects are seen and understood, all criticism will be disarmed and no exception will be taken to a much larger appropriation next year.

I have the honor to be,

Sir,

Your obedient servant,

AUBREY WHITE.

Circular to Limit-Holders. The course recommended by Mr. White was approved by the Commissioner, Hon. T. B. Pardee, and the same year the following circular was sent to limit-holders throughout the Province.

The Commissioner of Crown Lands, feeling the importance of creating some better organization for preventing the destruction of the forest by fire, has approved of a scheme, the principal points of which are herein stated to you, so that you may, should the position of your limits make it desirable, avail yourself of its advantages.

It is proposed that during the dangerous period, say from the first day of May to the first day of October in each year, there shall be placed on such limits as are exposed to danger a man or men who will be empowered and instructed to use every endeavor to prevent and suppress fires in every way possible, and the ranger who is placed in charge of a limit will be authorized to engage whatever help may be necessary to cope with a dangerous fire where prompt action is necessary; these men will be supplied with copies of the "Fire Act," and instructed to post them up in public and conspicuous

places, to visit each person resident on the limit and give them, if thought advisable, a copy of the Act, explaining to them its provisions, penalty for its infraction, etc., and to endeavor to enlist their assistance and sympathy to make the Act effective.

The Department will leave the limit-holder to suggest the number of men who should be placed on his limit, and as it is of all things necessary that practical bushmen of good judgment and well acquainted with the limit should be selected, he, the limit-holder, will nominate the man to be placed in charge of the limit and his subordinates, if any, the Department reserving the right to limit the number of men to be employed on any limit, and also to reject or remove any man whom it finds unfitted to discharge the duties of the position.

It is hoped that limit holders will recognize the necessity for recommending men of good judgment and cool temper, who, while fully discharging their duties, will not harass or annoy settlers or others, as, if an animus is created in the breasts of the settlers the scheme will undoubtedly fail to effect the result expected. Limit-holders will be expected to exercise supervision over these men and see that they thoroughly and effectually perform their duties.

With respect to remuneration, the Department thinks that the man in charge of a limit should be paid three dollars a day, which should cover board and ordinary expenses, and where subordinates are required, that suitable men can be obtained at two dollars per day, which should also cover board and ordinary expenses; the men will be appointed bush and fire rangers and instructed from here so as to clothe them with authority under section 14 of the Fire Act, and a copy of the instructions will be furnished each limit-holder.

As the limit-holder is reaping a large proportion of the benefit, it is intended that he should bear one-half of the cost of men and expenses which may be incurred under this scheme.

The Department will pay wages and expenses and charge to each limit holder his proportion, which will be made a charge upon the limit, and an account will be rendered at the close of the season, when prompt payment must be made.

Should you desire to avail yourself of this scheme you will at once address a letter to the Department to that effect, stating the limits you wish protected, the number of your license for current season, the number of men you would recommend to be employed, and submit a list of those you would recommend for appointment on your limits.

THOS. H. JOHNSTON,
Assistant Commissioner.

Department of Crown Lands,
(Wood and Forest Branch,) April, 1885.

Results of Fire Ranging.

The results of this action were highly satisfactory to all concerned, as appears from the annual report of the Commissioner of Crown Lands for 1885, which contains the following with regard to the first season's experience of the fire ranging system.

"Under instructions from the Department thirty-seven men were placed in the field and kept on duty between the 1st day of May and the 1st day of October.

"The effect of their presence has been excellent. Fires were suppressed which otherwise might have become vast conflagrations, causing incalculable losses. Persons wantonly violating the provisions of the 'Fire Act' were promptly brought to justice and fined, and a general and strong interest in the direction of preventing the starting and spread of bush fires was created and kept alive.

"At the close of the season the licensees expressed their great satisfaction at the benefits resulting from the experiment, and urged its continuance and extension.

"The total cost of the service for 1885 was $7,911, of which sum one-half has been refunded by the liensees, leaving the net cost of this service to the Department to be $3,955.50."

The system once adopted was speedily extended. In 1886 45 men were employed as rangers, in 1887 the number was increased to 55, in addition to about 100 who were called on to give temporary assistance in fighting fire. The season was an exceptionally dry and dangerous one, so that the efficiency of the system in checking the spread of fires, which would otherwise have covered a much wider extent of territory, was thoroughly tested. The report of the Commissioner of Crown Lands for that year thus refers to the working of the system :—

"There is no doubt that the presence of the Rangers, and the prompt and active measures taken by them, materially prevented, and substantially reduced the losses—not only so but the Licensees were supplied with reliable information as to the quantity of timber damaged, its situation, and the force necessary to handle it this season before the grubs had time to seriously damage it, by which an enormous sum was saved to the Province and the Licensees."

Cost of the Service.

The number of fire rangers employed and the cost of service has continued steadily on the increase as a larger proportion of the limit holders have realized the benefits of the system and availed themselves of its operation. In 1891 the number of rangers on duty had increased to 98 and the total cost of the service to $20,053. In 1896 sixty license holders took advantage of the system, employing 160 rangers, the total expenditure being $31,396 which included $1,969 for fire-ranging on Crown Lands not under license, it having been found necessary to put the system in force over a large area of Crown territory overrun with gold mining prospectors. The number of license holders who made application to have rangers put on duty upon their limits in 1897 was 69, in which season 179 rangers were employed on timber limits, in addition to 12 detailed for service upon Crown property. During the season of 1898, 195 rangers were on duty on licensed lands, with the result that notwithstanding the long continued drought which prevailed, the losses by fire on the territory under their supervision were insignificant. Eleven fire rangers were also employed on the Crown domain, whose services proved equally effective, as no extensive fires occurred in the area thus protected.

Tree Planting on Highways.

The Ontario Legislature in 1871 passed "an Act to encourage the planting of trees upon the highways in this Province and to give a right of property in such trees to the owners of the soil adjacent to such highways" which forms the basis of the existing law on the subject. The principal clauses are as follows :

1. "For the purposes of this Act, every shade tree, shrub and sapling now growing on either side of any highway in this Province, shall upon, from and after the passing of this Act, be deemed to be the property of the owner of the land adjacent to such highway opposite to which such tree, shrub or sapling is.

Ownership In Trees.

2. Any person owning land adjacent to any highway may plant trees, shrubs or saplings on the portion thereof contiguous to his land; but no tree, shrub or sapling so planted shall be so planted, that the same may be or become a nuisance in the highway, or obstruct the fair and reasonable use of the same, every tree, shrub or sapling so planted in the highway shall for the purposes of this Act be deemed to be the property of the owner for the time being of the land whose owner planted the same."

Municipal Control.

Municipal councils were given control over the removal of trees, where it became necessary, and a penalty of $25 was imposed for the injury or destruction of roadside trees. Power was given to municipal councils to expend money in the planting of shade and ornamental trees, or to make money grants to individuals or associations for the same purpose. It was provided that the first two sections of the Act given above should not apply to incorporated cities, towns and villages, unless the council should first pass a by-law making them applicable thereto.

This Act was superseded by the Ontario Tree Planting Act of 1883, which, in addition to vesting the ownership of trees planted or growing on the highway in the proprietor of the adjacent land, provided for the payment out of municipal and Provincial funds of bonuses for tree-planting. It enacted that the council of any municipality might pass a by-law for paying out of municipal funds a bonus or premium not exceeding twenty-five cents for each ash, basswood, beech, birch, butternut, cedar, cherry, chestnut, elm, hickory, maple, oak, pine, sassafras, spruce, walnut or whitewood tree planted on the highway, or on any boundary line between farms or within six feet of such boundary. The municipality was entitled to be recouped by the Provincial treasurer to the amount of one half the bonus paid on such trees as at the expiration of three years remained alive, healthy, and of good form, a sum of $50,000 being appropriated by the Act and set apart as a fund for that purpose.

Bonus for Tree Planting,

This measure remained in force until 1896, when it was repealed as a result of an investigation made by the Bureau of Forestry as to its operation. It was found that very few of the municipalities of the Province had availed themselves of its provisions, so that after it had been for nine years in full operation, only $4,308.78, or less than one-tenth of the fund appropriated had been expended, and that for various reasons it had failed to commend itself to the public in most of the localities where a trial had been made. This shortcoming combined with the fact that under any circumstances, the planting of trees in isolated lines, while contributing to the beauty of the landscape, secures none of those practical advantages attained by their growth in masses as in the original forest, induced the Legislature to effect another change in the law. The measure substituted for the Act of 1883 retained and extended the principle of vesting the ownership of roadside trees in adjoining lot owners, making it applicable to all municipalities, without its adoption by special by-law being necessary in the case of urban municipalities. While the Government bonus on tree planting was abolished, the municipalities were authorized to grant municipal bonuses in encouragement of tree planting, provided they saw fit to do so The following is the full text of the act :—

Provincial Bonus Abolished.

1. A person owning land adjacent to any highway, public street, lane, alley, place or square in this Province may plant trees on the portion thereof contiguous to his land, but no tree shall be so planted that the same is or may become a nuisance in the highway, or other public thoroughfare, or obstruct the fair and reasonable use of the same.

2. Any owner of a farm lot may, with the consent of the owner or owners of adjoining lands, plant trees on the boundaries of the adjoining lot.

3. Every tree so planted on such highway, street, lane, alley, place, or square, shall be deemed to be the property of the owner of the lands adjacent to such highway, street, lane, alley, place or square, and nearest to such tree, and every such tree so planted on a boundary line aforesaid shall be deemed to be the common property of the owners of the adjoining farms or lots.

4. Every growing tree, shrub or sapling whatsoever, planted or left standing on either side of a highway for the purposes of shade or ornament shall be deemed the property of the owner of the land adjacent to the highway and nearest to such tree, shrub or sapling. R. S. O., 1887, c. 201, s 3.

3. (1.) The council of any municipality may pass a by-law for paying out of municipal funds a bonus or premium not exceeding twenty-five cents for each and every ash, basswood, beech, birch, butternut, cedar, cherry, chestnut, elm, hickory, maple, oak, pine, sassafras, spruce, walnut, or whitewood tree, which shall, under the provisions of this Act be planted within such municipality on any highway, or on any boundary line of farms as aforesaid, or within six feet of such boundary.

(2.) Such by-law may further provide for the appointment of an inspector of trees so planted ; for their due protection against injury and against removal by any person or persons, including the owner, excepting as authority may be given therefor by special resolution of the council ; for the conditions on which bonuses may be paid ; and generally for such regulations as are authorized by sub-sections 20 and 20*a* of section 479 of The Consolidated Municipal Act, 1892. R S.O. 1889, c. 201, s. 4.

4. The inspector shall make to the council one report for each year, if required to do so, giving the names of all persons entitled to any bonus or premium under the by-law, the number of trees of each species planted, and the amount of bonus or premium to which each person is entitled, and certifying that the trees have been planted for a period of three years, and that they are alive, healthy and of good form; and upon the adoption of such report the bonuses or premiums shall be paid; provided that in no case shall the council be liable to pay a larger sum in respect of trees planted under this Act than would be payable if the same had been planted at a distance of thirty feet apart, and in no case shall a bonus be granted where the trees are less than fifteen feet apart. R.S.O. 1887, c. 201, s. 5. 53 Vic. c. 60, s. 1.

5. Where a municipality has prior to the passing of this Act passed a by-law under the authority of section 4 of The Ontario Tree Planting Act for granting bonuses for tree planting and has paid or has become liable under the said by-law for the payment of any premiums or bonuses with respect to trees planted prior to the passing of this Act, the Treasurer of the Province, out of any sum which may be voted by the Legislature for that purpose, upon receiving a copy of the inspector's report, certified by the reeve and clerk, may recoup to the treasurer of the municipality one-half of the sum paid by the municipality under the said by-law, the said report to be forwarded to the Treasurer on or before the first day of November in each year.

6. (1) Any person who ties or fastens any animal to or injures or destroys a tree planted and growing upon any road or highway, or upon any public street, lane, alley, place or square in this Province (or upon any boundary line of farms, if any such bonus or premium as aforesaid has been paid therefor), or suffers or permits any animal in his charge to injure or destroy, or who cuts down or removes any such tree without having first obtained permission so to do by special resolution of the council of the municipality, shall, upon conviction thereof before a justice of the peace, forfeit and pay such sum of money, not exceeding $25 besides costs, as such justice may award, and in default of payment, the same may be levied on the goods and chattels of the person offending, or such person may be imprisoned in the common gaol of the county within which the municipality is situate, for a period not exceeding thirty days.

(2) One-half of which fine shall go the person laying the information, and the other half to the municipality within which such tree was growing. R.S.O., 1887, c. 210, s. 8.

7. Any person who ties or fastens any animal to, or injures or destroys any tree growing for the purposes of shade or ornament upon any boundary line between farms or lots, or who suffers or permits any animal in his charge to injure or destroy, or who cuts down or removes any such tree, without the consent of the owner or owners of such tree, shall be subject to the like penalties and liable to be proceeded against and dealt with as provided in the preceding section. R.S.O., 1887, c. 201, s. 9.

8. The council of every municipality may pass by-laws:

(1) To regulate the planting of trees upon the public highway;

(2) To prohibit the planting upon the public highways of any species of trees which they may deem unsuited for that purpose;

(3) To provide for the removal of trees which may be planted on the public highway contrary to the provisions of any such by-law. R.S.O., 1887, c. 201, s. 10.

9. The Ontario Tree Planting Act and the Act passed in the 53rd year of Her Majesty's reign, chaptered 60, are repealed.

Forest Reserves.

The undue extent to which deforestation has been carried in the frontier counties of Ontario, and the prospect of the extension of similar conditions to the Northern regions, renders the problem of forest preservation one of increasing urgency. The idea that a considerable proportion of the land, including especially the non-arable tracts, should be maintained in perpetual forest, yielding its periodical harvest of timber as an essential economic factor of national prosperity, had its advocates from time to time among our public men. But the liability of the woods to destruction by fire with the advance of settlement, and the general though unfounded belief that only one crop of pine could be secured from the lands, for some time strongly militated against any com-

prehensive action in the direction of forest preservation. The scientific aspects of the question, however, were beginning to be studied and understood by a few people, and appreciating the growing importance of the subject and the need of popular education as to the value of maintaining a due proportion of woodland, the Ontario government in 1883 appointed Robert W. Phipps to the position of Clerk of Forestry.

Bureau of Forestry,

As originally laid down, and for some years afterwards, the work was almost purely of an educational character, the publications issued being principally intended to rectify conditions in the cleared and cultivated portions of the province, where the remaining portions of the original forest are in private hands, and to show the need and desirability of replanting. At the same time the larger aspect of the question was not overlooked.

The office was at first attached to the Department of Agriculture, but after Mr. Phipps' death, and on the appointment of the present incumbent, a change was made in 1895 by which its scope was considerably extended. It was transferred from the Department of Agriculture to that of Crown Lands, and connected more directly with the work of administration. The Bureau of Forestry, as thus reconstituted, in place of devoting its main efforts to the dissemination of information among farmers and the formation of public opinion with respect to reforestation on private lands, has been entrusted with the preliminary investigations in connection with the forestry policy now undertaken in the management of considerable tracts of the Crown domain.

Algonquin National Park.

The first step in the direction of a policy of establishing permanent timber reservations was taken by the Ontario Government in 1893, in the setting apart of the Algonquin National Park. The first suggestion of the project was offered by Alexander Kirkwood of the Crown Lands Department, who, in a memo dated December 21st, 1885, addressed to the Hon. T. B. Pardee, Commissioner of Crown Lands, strongly urged the setting aside of such a reservation embracing the head waters of the Muskoka, Madawaska, Petewawa, and other streams. The matter was considered and preliminary investigations set on foot to ascertain the suitability of the territory indicated for park purposes. Some delay was caused by the ill-health of the Commissioner, which resulted in his death in 1889. Hon. A. S. Hardy who succeeded to the position, appointed a Commission comprising Aubrey White, Assistant Commissioner of Crown Lands, Archibald Blue, Director of Mines, Alex Kirkwood, Senior Officer of Lands Branch, Department of Crown Lands; James Dickson, Inspector of Surveys, and Robert W. Phipps, Clerk of Forestry, to enquire into the fitness of the territory under consideration for the purpose of a forest reservation and national park. The report of the Commissioners was presented to the Legislature during the session of 1893, recommending the setting apart of a compact tract of land in the district of Nipissing, south of the Mattawa River and Georgian Bay, almost a parallelogram in shape and comprising eighteen townships. An act embodying the recommendations of the Commissioners, withdrawing this area from sale or settlement and constituting it a national park and forest reservation was adopted. The following year a considerable addition was made to the original area, bringing the total extent of the park up to 1,109,383 acres. The whole district is under timber license but as the act setting it apart provides that only pine shall be cut, the operations of the limit-holders cannot seriously detract from its forest character.

Forestry Commission

In June, 1897, at the instance of the Clerk of Forestry, a Royal Commission consisting of E. W. Rathbun, President of the Rathbun Company, Deseronto, lumberman; John Bertram, President of the Collins Inlet Lumber Company, Toronto, lumberman; J. B McWilliams, Peterborough, Superintendent of Forest Rangers; Alex Kirkwood, Chief Clerk of Lands Branch, Crown Lands Department, and Thomas Southworth, Clerk of Forestry, were appointed to investigate and report on the subject of restoring and preserving the growth of white pine and other timber trees upon lands in the Province, which are not adapted for agricultural purposes or for settlement. After personally investigating considerable tracts of country and familiarizing themselves with the conditions prevailing in many lumbered-over and fire swept areas of non-agricultural land they presented a preliminary report on the 10th of December, 1897, which offered the following recommendations:

1. That the present system of fire ranging inaugurated by the Government in 1886 be extended so as to be compulsory on all the holders of timber berths and that all unlicensed timber land contiguous thereto be also protected by rangers employed by the Government. That all fire rangers be subject to the inspection and control of the Department of Crown Lands.

2. That the officials of the Hudson's Bay Company be asked to co-operate with the Government in preparing and printing fire proclamations in the language of the Indians of the Northern Districts to be posted along the canoe routes throughout the territory.

3. That for all unworked limits on which the ground rent shall be two years in default on the termination of the present license year, the license shall not be renewed, but that the berths be held by the Crown as forest reserves.

4. That the license-holders be not allowed to cut any trees for logs smaller than will measure twelve inches across the stump two feet from the ground unless under special forest conditions with the sanction and under the supervision of the district forest ranger.

5. That the Government take power by Order in-Council to withdraw from sale or location and set aside to be kept in permanent Crown forest reserve, such areas of territory as are generally unsuitable for settlement and yet valuable for growing timber.

In accordance with these recommendations, the following Act enabling the Government to set apart permanent Forest Reserves, from time to time, was passed by the Legislature in 1898 :—

Forest Reserves Act.

1. The Lieutenant-Governor-in-Council shall have power to set apart from time to time such portions of the public domain as may be deemed advisable for the purposes of future timber supplies, but subject to such regulations as may be adopted under the provisions of section 4 of this Act.

2. Such tracts of land so reserved shall, by proclamation in "The Ontario Gazette," be declared to be permanent Crown Forest Reserves.

3. From and after the date of such proclamation no lands within the boundaries of such reserves shall be sold, leased or otherwise disposed of, and no person shall locate, settle upon, use or occupy such lands, or hunt, fish, shoot, trap or spear or carry or use firearms or explosives within or upon such reserves

4. Such reserves shall be under the control and management of the Department of Crown Lands, and the Lieutenant-Governor-in Council shall have power to frame regulations for the protection, care and management of the said Crown Forest Reserves.

5. Such regulations shall be published for four consecutive weeks in "The Ontario Gazette" and shall immediately thereafter have the force of law as if herein enacted, and shall be laid before the Legislative Assembly within fifteen days after its first meeting thereafter.

6. Any violation of any provisions of this Act or of any regulation made thereunder shall subject the offender, in addition to any other remedy, to a penalty of not more than fifty dollars and costs, and in default of payment thereof to imprisonment for a period of not exceeding six months, with or without hard labor, unless the said penalty and costs (if costs are imposed) are sooner paid, and the offender shall be liable for all damages resulting from any such violation to be recovered in any court of competent jurisdiction.

7. Any prosecution for a violation of this Act or any regulation made thereunder may be had under "The Ontario Summary Convictions Act" before any justice or justices of the peace having jurisdiction where the offence was committed.

8. This Act may be cited as "The Forest Reserves Act."

As will be seen by reference to the first portion of this volume, action has been taken by the Government in accordance with the provisions of the Act, by setting aside a tract of about 80,000 acres in the Counties of Addington and Frontenac as a Forest Reserve. The course followed by the administration in regard to forest preservation is necessarily of a largely experimental character, and in the absence of any local experience as to the workings of the principle, the extent and direction of future action with this end in view will depend very considerably upon the results observed from time to time in the initial and tentative stages of the movement.

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AGREEMENT

BETWEEN

HER MAJESTY,

Represented by the Honourable the Commissioner of Crown Lands for the Province of Ontario,

AND

THE STURGEON FALLS PULP COMPANY,
(Limited)

Dated the 6th day of October, 1898.

PRINTED BY ORDER OF

THE LEGISLATIVE ASSEMBLY.

TORONTO.
WARWICK BROS & RUTTER, PRINTERS, &C., 68 AND 70 FRONT ST. WEST.
1899.

AGREEMENT.

This agreement, made in duplicate this sixth day of October, in the year of our Lord one thousand eight hundred and ninety eight, between Her Majesty, represented by the Honourable the Commissioner of Crown Lands for the Province of Ontario, hereinafter called "The Government," of the one part, and The Sturgeon Falls Pulp Company (Limited), a joint stock company duly incorporated in England under the provisions of the Companies Act of 1862 and 1893 and hereinafter called "The Company," of the other part.

Whereas the Company is now in treaty with The Sturgeon Falls Pulp Company (Limited), a company duly incorporated in Ontario under the Ontario Joint Stock Companies Act for the purchase of the pulp mill and machinery, lands and premises, and all the plant, material, stock of pulp wood and other assets of the said Ontario Company in connection with its pulp manufacturing business at Sturgeon Falls, in the District of Nipissing, including water power, and intends to expend a considerable amount of capital in extending and improving the said mill property, machinery and plant and the said business to the intent that the same shall in the future and after the said purchase has been carried into effect be carried on by and in the name of the Company.

And whereas the Company proposes to construct, equip and operate in or in the vicinity of Sturgeon Falls aforesaid an extensive paper mill in connection with its pulp manufacturing business and to expend a large amount of capital in connection therewith and from time to time to extend the same.

And whereas the Company is desirous of obtaining from the Government of the Province of Ontario the right to cut from and upon certain Crown lands of the Province such pulp and other wood as is necessary for its use in the carrying on of the said enterprises and in manufacturing pulp and paper and any other commodity which can be manufactured from such woods at the said mill and at any other mill or mills which the company may find it necessary to construct, buy, lease or operate in connection with its business.

And whereas this agreement is entered into for the purpose of ensuring the performance by the Company of its obligations as hereinafter defined and of securing to the Company a continuous supply of wood for the purpose of its business upon the terms and subject to the conditions and stipulations hereinafter contained.

Now, therefore, it is agreed between the Company and the Government as follows, that is to say :

1. The Company shall forthwith proceed to carry into effect the purchase now in progress from the said Ontario company of the property at Sturgeon Falls, being the pulp mill, water power rights, building, machinery, stock in trade, plant, implements, stock of pulp wood and lands, and generally the assets of the said company used in connection with its present pulp manufacturing business, and when so required will duly operate, and so long as this agreement is in force will continue to operate the same and will extend its operations from time to time as demanded by the exigencies of its business, and so that the same will be worked to at least the capacity of 5,000 tons of pulp per annum.

2. The Company will also with all convenient dispatch proceed to the construction of a paper. mill at or near Sturgeon Falls aforesaid or in the vicinity of the waters of the Sturgeon river and will thoroughly equip the same so that the expenditure of the Company in the construction and equipment of the said paper mill will be at least the sum of $1,000,000, and will operate the same so that at least 30,000 tons of paper will be manufactured annually, and at least 240 hands on an average continuously employed in connection therewith. Of the said sum of $1,000,000 not less than $250,000 shall have

been expended at the expiration of 18 months from the date hereof and not less than $500,000 at the expiration of two years from the date hereof and the balance before the expiration of three years from the date hereof.

3. In consideration of the said purchase from the Ontario company and of the expenditure in the last preceding paragraph set forth the Government will grant to the company for use in their said business the right for a period of 21 years from the date hereof to cut and remove spruce, poplar, tamarac and banksian or jackpine and hardwoods six inches and upwards in diameter to enable the said Company to work the said pulp and paper mills and extensions thereof to their full capacity from the time when the Company commences cutting under this contract from the lands of the Crown which may be at any time unoccupied, unlocated or unsold along the Sturgeon river in the district of Nipissing and along its extensions or tributaries to a straight line drawn due east and west across Lake Temagaming immediately south of Bear Island and produced in a straight line easterly from the shore of the said lake and the said line following on the west side of the said lake the watershed of the said Sturgeon and its tributaries (the intention being that no cutting shall take place on the west shore of Lake Temagaming nor on streams flowing into Lake Temagaming north of the intersection of the shore of said lake by the said straight line) and along all tributaries of the said river and extensions thereof which fall into the said river and its extensions south of the said lines for a distance extending back from the shores thereof of five miles except as to islands in Lake Temagaming on which no cutting is to take place and which are to be exempt from the terms of this agreement for the rates and prices hereinafter set forth and provided and subject to such reasonable terms, conditions and regulations as to the cutting, removing and driving of the same as may from time to time be imposed by the Lieutenant-Governor in Council and subject also as is hereinafter set forth and contained.

4. The Company may select and delimit or set out 75 square miles of unoccupied and unlicensed public land from and in said territory, upon which is to be found the woods aforesaid, but in such a way that merely patches of land covered specially by spruce shall not be particularly selected.

5. The Government will from time to time, and as occasion may require, grant permits to the Company to cut elsewhere within the said territory than on the said 75 miles, at places to be agreed upon between the Company and the Government, or the agent appointed by the Government for that purpose, so many cords of the said woods as may be necessary to keep the mills running, less the amount which may be taken from the said 75 miles, which latter shall not be less in any one year than the one twenty-first part of the entire quantity required for the year for the use of the said mills and the rates and prices payable in respect of the cutting upon the territory outside the said 75 miles shall be the same as the rates and prices in respect of the cutting on such reservation.

6. The Company shall pay 20 cents per cord of 128 cubic feet for spruce and hardwood and 10 cents per cord of 128 cubic feet for the other woods above mentioned, or such other prices as may from time to time be fixed by the Lieutenant-Governor in Council for such wood, but in no case shall the price so to be fixed be at higher figures than the price at which the general public shall be permitted to cut on other portions of the Crown domain or than others similarly situated shall be permitted to cut.

7. No wood shall be cut under this agreement until after the property so to be purchased from the Ontario company shall have been acquired and paid for, but the cutting of wood for the use of the said pulp mill so being purchased from the Ontario company may begin as soon as the said purchase has been carried into effect.

8. The Crown may revoke the right, license or permit to cut whenever the Company shall fail to comply with the terms of this agreement.

9. It is distinctly understood and agreed that only the right to cut wood as aforesaid is sold to the Company, and not the soil or any part thereof, nor is any interest in the soil so sold except in so far as may be necessary to cut and remove the woods as aforesaid, and the wood when so cut shall (subject to the payment of the price thereof) become the absolute property of the Company.

10. This concession is not to impede or retard settlement by actual *bona fide* settlers who shall have obtained the right from the Crown Lands Department to settle thereon in the usual manner.

11. Nothing herein contained or to be done hereunder or by virtue hereof shall entitle the Company to a monopoly in the use of the said river or its tributaries, but the shall be and continue open for the use of the public in accordance with the law in that behalf. But in view of the character of the industry to be established, the investment of so large an amount of capital and the probable enlargement of the industry in the near future it is understood that the Government will not grant, sell to or confer upon any other person or persons, corporation or corporations the right to cut pulp wood within the territory hereinbefore referred to for the purpose of export before being manufactured into pulp or the right cut to pulp-wood within or upon the said territory, the granting of which rights would in the opinion of the Commissioner of Crown Lands for the time being have the effect of so far lessening or diminishing the supply of pulp-wood in the said territory during the period covered by this agreement and which under this agreement will be available for the making of pulp by the Company as to the prejudicially interfere with the Company during that period in obtaining all the pulp-wood necessary for supplying the said mills and any extensions thereof that may be made in the meantime or extensions which may be under construction and *bona fide* in process of completion, but nothing this paragraph or in this agreement shall prevent the sale or location to actual settlers of any part of said lands in the usual manner.

12. It is distinctly understood and agreed that nothing herein contained shall without the consent in writing of the Commissioner of Crown Lands for Ontario be deemed to confer any right to cut or remove timber from any territory or areas already under license from the Crown or which may hereafter be placed under license for the cutting of pine timber nor shall any cutting take place under this agreement in or in the immediate proximity of territory covered with green merchantable pine available for lumbering purposes or which may be considered by the Government to be pine-bearing lands. If, however, the wood in the other parts of the available territory has been exhausted or is insufficient for the requirements of the Company's mills, the Company may cut in the vicinity of such pine-bearing lands upon such terms and condition as may from time to time be agreed upon between the Government and the Company or if they cannot come to an agreement then upon such terms, conditions and regulations as may from time to time be made or imposed by the Lieutenant-Governor in Council or by the Commissioner of Crown Lands for the purpose of affording ample protection to the standing pine.

Provided, however, and it is understood and agreed that the Company shall not be entitled to cut wood of any kind on said territory or on any part thereof for the purposes of export in the wood nor for sale to other persons for export in the wood.

Provided further, that there shall be no limitation other than as to export and size of wood of the right of the company to cut or remove pulp-wood from the seventy-five square miles hereinbefore referred to, after the same shall have been delimited and set apart.

13. It is hereby agreed that nothing in this agreement contained shall prevent the Government from selling the right to any person or persons to cut the pine trees on any part of the territory hereinbefore mentioned which has not already been placed under license, and to grant timber licenses in respect thereof under the statutes and regulations in that behalf, and in no case shall the company be entitled to cut the pine trees other than banksian pine unless under special permit or license from the Government or the

Commissioner of Crown Lands; and further, that no part of the said seventy-five square miles shall be composed of pine-bearing lands unless where expressly permitted by the Commissioner of Crown Lands. But in the case of a sale of the right to cut pine trees as in this clause hereinbefore mentioned, the sale of the right to cut shall be confined to the pine trees only and to such other timber as may be necessary to cut and remove the same.

14. Nothing herein contained shall require the Government to provide any particular quantity of wood, as the Government in no case guarantees quantities or does anything more than grant the right to cut such wood as aforesaid within the aforesaid limits, and nothing herein contained shall require the company to purchase any particular quantity of wood, or to pay for any wood not actually cut upon the said territory, but it is clearly understood and agreed that so long as the supply of wood upon the said territory is sufficient to supply the mills of the Company herein referred so, the Company will take its supply of wood therefrom.

(*a*) It is also hereby declared that the intention of these presents is that the said Company shall at all times during the term of twenty-one years from the date hereof obtain a sufficient supply for their pulp and paper mills so far as the same can be found available within the limits hereinbefore described, and so far as the same can be obtained consistently with the terms of this agreement.

15. If the Company shall not complete its purchase from the Ontario company within three months of the date hereof this agreement shall immediately after the said period become null and void and of no effect.

16. If the Company shall complete the said purchase from the Ontario company within the period aforesaid and shall not within three years from the date hereof expend at least a sum of $1,000,000 in erecting the said paper mill, and in the construction and equipment thereof, and in preparing for the operation of the same, and for getting out the wood for the supply of the said mills, this agreement shall become null and void and of no effect in so far as the whole territory is concerned.

17. Settlement shall be made with the Government at the close of each season of navigation for the price of the wood cut up to that time, and a correct account of all wood cut by the Company shall be kept in the books of the Company in such manner as the regulations made, or to be made, shall provide, and to which the officers of the Crown shall at all times be entitled to access, and returns shall from time to time be made under oath by the Company to the Crown of the quantities cut, as the Crown or as regulations as aforesaid may require.

18. Subject to the provisions of paragraph 16, in the event of the failure on the part of the Company to erect the said paper mill plant and expend the moneys thereon hereinbefore stated, or in default of the said Company keeping the said paper mill running after the erection thereof and keeping the required number of men employed as aforesaid, the Government may refuse to permit the continuance of the cutting of the said wood.

19. The Company covenants with Her Majesty that it shall and will not at any time or in any place deposit, empty, run or turn into or permit to be placed, deposited, emptied, run or turned into any river, stream or other waters whatsoever, refuse, sawdust, chemicals or matter of any other kind which will have the effect of destroying, harming or driving away the fish in such river, stream or water.

20. This agreement is now executed by Ernest A. Bremner, of London, England, on behalf of the Company, and it is agreed that if the same shall not be executed by the Company under its corporate seal and by the hand of the proper officers thereof within

one month after its execution by the Government and by the said Bremner, the Government may at its option revoke and cancel the same.

21. Whenever the expression "The Company" shall occur in this agreement, it shall be understood to include the successors and assigns of the Company.

22. This agreement is provisional only until approved by resolution of the Legislative Assembly.

In witness whereof the Commissioner of Crown Lands has hereunto set his hand and seal, and the company has set its corporate seal and the hand of its Chairman and Secretary.

Signed, sealed and delivered in the presence of
(Sgd) AUBREY WHITE.

(Sgd) J. M. GIBSON, [Seal.]
(Sgd) ERNEST A. BREMNER. [Seal.]

Signed, sealed and delivered by the above named Ernest A. Bremner in the presence of
(Sgd) H. GILMOUR CAMPION,
Solicitor, London, England.

The common seal of the Sturgeon Falls Pulp Company, Limited, was on the 21st day of October, 1898, hereunto affixed in the presence of [Seal.]

(Sgd) MAURES HORNER, Chairman.
" R. W. MARCHANT, Secretary.

REPORT

OF THE

INSPECTOR OF REGISTRY OFFICES

FOR THE YEAR

1898.

PRINTED BY ORDER OF

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1899.

REPORT

OF THE

INSPECTOR OF REGISTRY OFFICES

FOR THE YEAR 1898.

GUELPH, MARCH 25TH, 1899.

To the Honorable A. S. Hardy, Attorney-General, Toronto :

SIR,—I beg to present my Report as Inspector of Registry Offices for the year 1898.

The work of the registrars during the past year has, on the whole, been conducted in a creditable manner, and in accordance with the provisions of the Registry Act.

The total number of instruments registered and the aggregate amount of fees earned by registrars in 1898, are as follows :—The number of instruments registered in 1898 is 110,578 or an increase of 2,430 over the year 1897, while the gross amount of fees earned in 1898 is $172,911 40 as against $174,035.31 in 1897, or a falling off of $1,153.60 ; but there is a slight increase in the net amount of fees received in 1898 over 1897. The net fees in 1897 were $99,744.15 and in 1898, $101,070.75 or an increase of $1,326.75.

There has been a marked falling off in the number of mortgages registered and in the aggregate amount thereof, as follows :—

	Number of mortgages registered.	Amount.
1897	28,989	$42,508,941.89
1898	27,281	36,521,137.76
	1,708	$5,987,804.13

Showing decrease in the number of mortgages of 1,708, and in the aggregate amount thereof, of $5,987,804.13 as compared with 1897.

I have, as usual, had a number of differences as to fees to decide, and I have given a good many opinions, and I continue the practice which has been found to be of convenience both to the registrars and to the legal profession, of sending to you with this report, and for publication, a selection from these decisions and opinions.

As you are aware, I have recommended to you for the consideration of the Legislature, some amendments to the Registry Law which my experience as Inspector has shown to be desirable.

A tabulated statement of the returns of registrars for the past year appears as an appendix to this Report.

I embody here some directions which I have had occasion from time to time to give to individual registrars in the course of my inspection.

Registrars should see that the registry books, upon completion, are promptly verified by statutory declaration.

The consideration mentioned in Deeds of Bargain and in Sale and Grants and other Deeds of Conveyance, should be entered in the Abstract Index, as well as the consideration in mortgages.

In entering conveyances in the Abstract Index, some registrars simply enter the word "Deed." The form given in the statute is "B. & S." These letters, or the words "Grant" and "Quit Claim," or "Conveyance under Power of Sale," as the case may be, are the proper words and preferable to the more general and less definite word "Deed."

Where conveyances are made under power of sale in a mortgage, the fact that they are so made should be noted in the Abstract Index.

The names of grantors and grantees should be entered in the Abstract Index as fully as they are given in the deed or other instrument. For instance, I find some registrars enter an instrument by "Joseph Smith" as by "J. Smith."

Where deeds are made by an administrator under the Devolution of Estates Act, with the consent of the official guardian, the fact of such consent should be noted in the Abstract Index.

Where a deed grants a right of way over adjoining premises, that fact should be noted in the Abstract Index as against such adjoining premises, and where a deed reserves a right of way to the grantor or the like, that fact should be noted in the Abstract Index, in the column for remarks.

Where wills contain legacies charged on lands, entries in the alphabetical index should be made under the names of legatees.

Where omissions or errors in copying are corrected in red ink, the memorandum of the date of correction should be signed by the registrar or his deputy and not merely initialled with their initials.

Where mistakes are made in copying or entering documents, and are corrected, the correction should not be done in any case by scraping out with a knife, or other instrument, the incorrect word or figure. The pen should be drawn through the erroneous word or figure so as to show what the word or figure was, and the correct word or figure substituted therefor, should be interlined.

I desire to call special attention to the necessity on the part of the registrars, of observing the requirements of section 36 of the Registry Act, so that registrars may, in the Abstract Index, give, as far as possible, and practicable, such a sufficient description of the land mentioned in the instrument as will readily identify its location.

I have the honor to be, Sir,
Your obedient servant,

DON. GUTHRIE,
Inspector R. O.

DECISIONS OF DONALD GUTHRIE Q.C., INSPECTOR OF REGISTRY OFFICES.

ASSIGNMENT OF MORTGAGE ENDORSED "NOT TO BE REGISTERED IN FULL." COVENANT THEREIN BY MORTGAGOR—EFFECT OF.

A question has arisen between Messrs. F. & Co., Solicitors, and a Registrar, as to whether an assignment of mortgage which contains a special covenant is an instrument which is capable of being endorsed "Not to be registered in full," the solicitors contending that it is, and the Registrar's view being that it is not such an instrument.

The mortgage was assigned to one A B and one C D the owner of the property became party of the third part in the assignment, for the purpose of giving his covenant to A. B. for the payment of the consideration money for the assignment. The assignment contains C D's covenant to pay the assignee the amount he advances.

In my opinion the presence of this personal covenant by the owner of the property in the assignment does not take it out of the Statute which authorizes assignments of mortgage to be endorsed "Not to be registered in full." I think the instrument could properly be so endorsed.

MORTGAGE ENDORSED "NOT TO BE REGISTERED IN FULL"—OTHERS THAN MORTGAGOR JOINING THEREIN—EFFECT.

Messrs. M. & Co., Solicitors, registered an instrument endorsed "Not to be registered in full." The Registrar being of opinion that it is not an instrument which the solicitors were entitled to so endorse, claims a larger fee for registration than $1.00. The difference thus arising has been referred to me.

The instrument is a mortgage by A and wife to B, a second mortgagee in which the first mortgagee, one C, whose mortgage is for $4,000, joins so as to give B's mortgage priority. The Registrar says that in the B mortgage, C is a party of the fourth part and simply joins to postpone his mortgage to that in favor of B. The Registrar's view is that it is a mortgage and postponement and he has entered it in the abstract index accordingly. The solicitors view is that the instrument offered for registry is solely a mortgage.

They say the whole instrument is a mortgage and nothing more. There is no grant or interest vested in the mortgage that is not subject to redemption, and that this is the intent and effect of such an instrument and the mere variation in form does not change its character, nor does the addition of special covenants or agreement powers or conditions affect its character, so long as the whole instrument is subject to the proviso for redemption.

In reply to this, the Registrar says C. does not in the instrument in B.'s favor, mortgage his interest in the lands but postpones his mortgage to that of B. in consideration of the premises and of $1.

It appears to me what C. has done is in effect to forego his prior right or to mortgage the legal estate in B.'s favor in so far as his interest is concerned. C. could redeem the B. mortgage, and to get rid of his interest he would have to be a party to any foreclosure proceedings under the B. mortgage. He has not absolutely parted with his estate, he has only submitted to its being mortgaged.

Upon payment of the mortgage money to B., C.'s title would be revested in him. A statutory discharge would be sufficient not only to work a re-conveyance in favor of A. but of C.

Here A.'s wife joined to bar her incohoate right to dower in favor of B. She does not covenant to pay the mortgage money and is not styled a mortgagor. C. joined to bar his right as mortgagor in favor of B. Neither does he covenant to pay the mortgage money, and neither is he styled a mortgagor.

Frequently a doweress, a widow of a prior owner, or a person having an annuity charged on land or having a life interest in land or part of it, join in mortgages to release or mortgage their interest in favor of the mortgagees. In all such cases the instruments are treated as and are in fact mortgages.

That persons other than mortgagors join in mortgages to bar their particular rights in the land in favor of the mortgagees, is a matter of universal experience, and the instruments are as universally regarded as mortgages.

I think the contention of the solicitors, that they were entitled to endorse this instrument "Not to be registered in full" is right, and I decide this dispute in their favor accordingly.

DEED OF EXCHANGE, ALTHOUGH IT OPERATES AS A DOUBLE CONVEYANCE, IS ONLY ONE INSTRUMENT.

A Registrar has referred to me a dispute between himself and Mr. M., a Solicitor, in regard to the fees for registering a deed of exchange of lands between the Corporation of the City of C———— of the one part, and A. B. of the other part.

By the Deed the City grants a parcel of land to A. B. in exchange for another parcel of land, which by the same deed is granted by A. B. to the City.

The Registrar contends that as the document contains two separate and distinct conveyances of two separate and distinct parcels of land, it is really two instruments, and he, in accordance with his view, charged double fees.

The view of the City Solicitor is that the instrument is only one instrument. He says "a deed of exchange is a well known instrument and though necessarily embracing two properties is really only one deed or instrument."

The Registrar in favor of his contention cites "sub-section 1 of section 118 of 'The Registry Act' which states that the Registrar is entitled to certain fees for registering every instrument, while sub-section 1 of section 2 of said Act says that the word 'instrument' shall include 'every conveyance whereby lands are affected in any wise.'"

The ordinary meaning of the word "instrument" is opposed to the Registrar's contention. This is only a single instrument, a single deed of conveyance. It is true that by one instrument two parcels of land are conveyed by way of exchange, one from the party of the first part to the party of the second part and one from the party of the second part to the party of the first part, but it cannot be considered because it operates in this way as being contrary to the actual fact, two separate and distinct instruments. The parties would only have to execute the instrument once and one affidavit of execution suffices, and it is entered only once in the Register.

A Deed of partition is often made under "The Statute of Uses" which operates as a conveyance of different lands to different individuals. I have known such a deed to convey severally amongst five or six different members of a family as many different parcels of land. Yet it has not been contended, and I do not think it could be successfully contended, that the registration of such an instrument could be charged for in the same way as if each of the parties had received a separate deed.

I think the fee chargeable for registering this deed of exchange is $1.70 and I decide the dispute accordingly in favor of the contention of the City Solicitor.

REGISTRATION OF WILL BOTH IN GENERAL AND SEPARATE REGISTERS. RESIDUARY CLAUSE.

A difference has arisen between a Registrar and Messrs. G. & Co., Solicitors, regarding the registration of Probate of the will of A. B., late of the Township of A——— in the County of H———

The Registrar registered the will both in the General Register and in the Separate Register for the Village of N——— in the County of W——— and charged double fees. To this the Solicitors who sent the will for registration, object. They do not consider that the will required to go into the General Register of the County as well as the Separate Register. The Registrar contends it should be entered in both. The will devises lands in the Township of A———evidently the testator's homestead, to two of his sons by separate devises. He devises two lots in N to a Mrs. L for life, and directs them to be sold after her death and the proceeds divided amongst three of his sons. He gives various pecuniary legacies, one of them charged on the A——— lands; and the residuary clause which gives rise to the dispute before me, is as follows: "Tenth—All the rest and residue of my estate to be divided amongst my children who shall be alive at my decease, share and share alike, this devise not to include grandchildren."

The descriptions of lands in the three specific devises are all by metes and bounds and other particular descriptions, and where the testator devises land to be sold and the proceeds divided, as in the case of the N lots, he gives special directions for sale.

My impression on reading this will is that the testator devised by particular description, all the lands he had, and that the words "my estate" in the residuary clause really refer to personal estate. As the residuary clause does not contain an express devise of land without local description, I do not think this will should go into the general Register of a County in which the testator did not reside, merely because it has become necessary to register the will in that other County owing to the testator's having some lands there which he devises by exact local description.

I decide this dispute in favor of the solicitors.

FAMILY DEED. SEVERAL SEPARATE CONVEYANCES EFFECTED BY ONE INSTRUMENT. REGISTRATION OF SAME.

Mr. C., Solicitor, desires to register a Deed of Partition between members of the family of the late A. B. and the Registrar considers he cannot register it.

I have had from the Solicitor and the Registrar statements of their views.

The Registrar thinks that as each of the six separate parties to the Deed is a grantor, as well as a grantee, the Deed cannot be registered. He instances Lot 1 in the 11th Concession of P and points out that by the Deed this lot is conveyed in three separate parcels, but he does not see how the instrument can be indexed in the abstract index to show the grantors and grantees for each parcel. The deeds were prepared in quintuplicate.

The Solicitor's view is that the Deed is not only a proper Deed, but there is no reason why it should not be registered. He illustrates the position he takes, as follows: A B C and D are joint owners of Lot 1, containing 100 acres; they desire to divide this lot into equal quarter shares by one instrument. A, C and D convey to B one-fourth thereof; B C and D convey to A another fourth, and so on.

I have looked at the Deed and its operation is as follows: After reciting that A B died possessed of two parcels of land and left the party of the first part his widow, and the other four parties his only children, and then the whole five had agreed to divide the lands, setting forth what each of the parties was to have, the operative part of the Deed gives effect to the recital, thus:

The parties of the second to the fifth part inclusive convey a parcel to the party of the first part; then the parties of the first and of the third to the fifth parts inclusive convey another part to the party of the second part, and so on.

I think there is no objection to the registration of this Deed. The Registrar will treat the grantors and grantees according to the fact and make the entries in the abstract index just as he would do had there been five separate conveyances. The Solicitor has accomplished, and so far as I can see had a perfect right to accomplish by one conveyance, what he might have done by five separate conveyances, if he had seen fit.

I understand that no dispute as to fees exists between the parties, but if any difficulty as to that arises I can deal with it afterwards.

AMENDMENT OF PLAN BY JUDGE'S ORDER—NOTING ORDER ON PLAN —COURSE TO BE TAKEN.

A difference has arisen between Messrs. B. & Co., Solicitors, and a Registrar, touching the amendment of a plan of part of the Village of A.

The Judge of the County Court of the County of W, of which A forms a part, made an order under section 110 of the Registry Act, ordering that a plan of part of A registered 13th of July, 1874, in the Registry Office of W should be altered and amended by closing up B. street as shewn on the plan and that the street be and the same was by the order declared closed.

The Solicitors have asked the Registrar to amend the plan and register the order. The Registrar refuses to do more than register the order in the abstract book and would not correct or amend the plan filed, claiming that he was subject to the penalties of the Registry Act, no matter whether the Judge ordered it to be done or not.

The Registrar fears that under section 96 of the Act, if he made the alteration in the plan he would be guilty of a violation of the Act. I do not agree in this view. To my mind the alteration prohibited by that section is an unauthorized alteration and section 110 plainly authorizes the Judge to make an order directing amendments or alterations of plans.

The Registrar says such amendments can be made by a subsequent plan. For my part I do not see why they cannot be made or entered or noted on the plan itself, following the practice of the Courts. When pleadings or other documents are amended by order of the Court, the amendment is made in red ink on the document, and the authority for it is shewn. I think not only that the Registrar may mark in red ink on the plan No. 209 that it has been amended by order of the Judge giving the date of order and the date of registration thereof, but that it is proper that he should do so; I also think, however, it would be better that the Judge's order should first be amended or a new order obtained directing that the amendment and alteration directed by the order be noted on the plan by the Registrar.

REGISTERING LETTERS PROBATE. ENDORSEMENTS THEREON SHOULD NOT BE COUNTED.

A matter has come up for my decision under the following circumstances:

Mr. B, a Solicitor, registered a Probate of Will. The Deputy Registrar sought to count in and charge for words endorsed on the back of the Probate as follows:

"Surrogate Court, Probate of the last will and testament of late of the Township of , Yeoman, deceased, entered and registered in Liber page ."

Mr. B. objects to have these words included in counting the number of words to be paid for.

The Registrar states that it has been the practice of his office for a great many years, and long before he was Registrar to copy these or similar words in the books and to charge therefor.

The question is whether the words of endorsement on Letters of Probate and Letters of Administration should be counted or not, for the purposes of fees.

I am of opinion that these or similar words need not be copied and should not be counted and charged for in estimating the fees to be paid.

I do not consider these endorsements form part of the Probate or Letters of Administration, for registration purposes. The Letters Probate is valid without them.

ASSIGNMENT OF MORTGAGE DESCRIBING LAND AS IN MORTGAGE. DIVISION OF LAND BY PLAN SUBSEQUENT TO MORTGAGE.

A dispute as to some fees which a Registrar has charged for registering an Assignment of Mortgage has been referred to me by him. Messrs. M. & Co., Solicitors, dispute the charge.

They sent to him for registration an Assignment of Mortgage T to P, and sent a sum sufficient to cover the ordinary fees for registration of such an instrument. The Assignment describes the lands affected as Lots 29 and 30, Concession 5, Township of F, being the lands described in the mortgage assigned by the assignment. After the mortgage was given a plan of the Town plot of G was filed, subdividing parts of both these Township lots. The Registrar considered it his duty to register the assignment not only against the Township lots but against the Village lots, which were originally part of these Township lots. This increased his charge by $7.50, and it is this increased charge which the Solicitors decline to pay. This same mortgage had been previously assigned and the Registrar had registered this previous assignment as well against the Township as against the Village lots, and had charged accordingly and had been paid without objection.

The Solicitors contend that the Registrar should either have refused to register the instrument at all, as the description of lands did not conform to the plan, and they say it was his duty, under sub-section 3 of section 100 of the Registry Act, so to refuse, or he should have communicated with them before registering the instrument and have informed them of the plan. The Registrar conceived that this assignment might be considered as a conveyance under the power contained in the mortgage and so capable of registration under sub-section 3.

I think the assignment cannot be so considered. I do not think it is, properly speaking, a conveyance under the power contained in the mortgage. I take that to mean a conveyance under a power of sale; but as parts of the Township lots were not subdivided by plan, I think the Registrar was justified in registering the assignment against the Township lots.

In view of my opinion I presume the Registrar will not further seek to charge the extra fees for noting this assignment against the various Village lots.

CHARGES FOR ABSTRACT. FEE FOR SEARCHES NECESSARY IN PREPARING ABSTRACT LIMITED. UNNECESSARY ENTRIES IN ABSTRACT DISALLOWED. DUTY OF REGISTRAR.

Messrs. K. & Co., Solicitors, and a Registrar, have had a difference with regard to the charges for an Abstract of Title in the matter of U and V and the dispute has been referred to me.

The Solicitors required the Registrar to furnish an Abstract of Title to the south-east quarter of Lot No. 12 in the 13th Concession of the Township of C. He furnished an Abstract and marked his fees thereon as follows :

Search 131 registrations	$6 60
Six folios, first folio	25
Five additional folios at 15 cents	75
Postage	05
	$7 65

Lot 12 in the 13th Concession is a 200-acre lot and was patented as such. It was subsequently subdivided and it is said that quite a number of the subdivisions are small pieces, some a quarter acre, some half an acre, some five and a quarter acres, some 10 and 12 acres, and the Registrar states the marginal notes in the Abstract Index do not indicate with sufficient clearness the situation of the parcels mentioned "to obviate the necessity of looking at the instruments." The Registrar further says that even if the abstract index did describe the situation of the property that would not preclude the necessity of his searching and examining the instruments for himself, as, if he gave an abstract, he would have to guarantee its correctness.

Only three entries on the abstract of this lot have been made since the present Registrar was appointed.

The Registrar states that without examination of the instruments it would be impossible to say whether the small parcels referred to did or did not form part of the south-east quarter.

Where an abstract is ordered, as in the case before me, I take it to be the duty of the Registrar not to make up his abstract by merely copying the contents of the abstract index, but it is his duty to prepare the abstract by referring to the registered instruments or memorials themselves.

The form of certificate to an abstract given in section 27 of the Registry Act shows that the extracts the Registrar furnishes are correct extracts from the only instruments recorded in the office, which mention or refer to the land. Here it seems to have been necessary for him to refer to many instruments in connection with the description alone to ascertain whether or not the lands described in certain instruments formed a part of the south-east quarter of the lot. See, however, section 36, which requires the Registrar to enter in the abstract index such a sufficient description of the land mentioned in the instrument as will readily identify its location.

Many instruments do not contain such a description. In others the description is so long and complicated as to render it impracticable to enter an abstract of it in the index so as to readily identify the location of the land. But aside from that I think a Registrar's duty is to refer to the instruments in order to obtain the other particulars necessary in making up the abstract or in order to verify the abstract index even where that is full and generally accurate, and I think this is his duty even where the entries in the abstract index were made by himself or by his own deputy or assistant; much more is it so where they were made by his predecessors in office.

Subsection 3 of section 27 of the Registry Act has been referred to by the solicitors to show that the Registrar is not liable for errors or mistakes in the entries of instruments or in respect of the omissions by any of his predecessors in the office of Registrar. That section will, in my opinion, probably have the effect of protecting a Registrar from errors or mistakes in the entries of instruments made by his predecessor, where the errors or mistakes occur, say, not only in the abstract index, but also in the copies of the instruments in the Registers, but not, I think, where the error or mistake is in the abstrast index alone, which error or mistake could have been discovered by the Registrar had he, in preparing his abstract, referred to the instrument itself. The section would also protect a Registrar, of course, in respect of the omission of an instrument by his predecessors, from the abstract index; that is, where a reference to the instruments was entirely omitted in that book; but even if the law does provide for the protection of a Registrar from liability for such errors, mistakes or omissions to a greater extent than I have indicated, I still think it to be clearly his duty in preparing an abstract, not to content himself by making his abstract merely from the abstract index, but to refer to the copies of the instruments in his registers, or, if he chooses, to the instruments themselves; including the case where there is a doubt as to whethor a particular instrument affects or may affect the parcel of land in respect of the title to which the abstract is required.

In regard, therefore, to the question of the number of references which the Registrar made in connection with the preparation of the abstract in question, my opinion favors the view of the Registrar.

But the solicitors contend that even in that case the most which a Registrar is entitled to charge for a search is $2 per lot, as provided by subsection 2 of section 118, and on this question the Registrar's view is that this subsection which limits the charge to $2 applies to a personal search and not to searches made for the purposes of the abstract.

On this point I agree with the view of the solicitors.

The solicitors also object to pay for increased length of abstract because of entries in it setting forth all the numbers of instruments which are registered against the whole 200 acre lot, which entries the Registrar says do not relate to the S. E. quarter of the lot. I sustain this objection.

I allow, therefore, for searches	$2 00
For abstract, first folio	25
Three additional folios	45
Postage	05
	$2 75

TORONTO REGISTRY OFFICES. SEARCH BEGUN IN EASTERN DIVISION CONTINUED IN WESTERN DIVISION. CHARGES.

Messrs. M. & Co. have requested me to give my ruling upon several points of difference which have arisen between them and the Registrars of the Eastern and Western Divisions of Toronto.

In the course of correspondence, all the questions except the second and third, touching the matters in difference, have been disposed of.

The second point is this: In searching titles in the Eastern Division, the solicitors say it is often found necessary to refer to documents in the Western Division. If only one document is looked at in the Western Division they state that the Registrar of that Division charges 25 cents, and they desire to know whether this is a correct charge.

I understand from the Registrar of the Western Division that when a person searching in the Eastern Division goes to the Western Division to complete his search, and sees only one number there, it has not been customary, in the Western Office, to charge more than five cents; although, in the instance which has given rise to this reference, one of the Registrar's assistants through some misunderstanding, charged 25 cents. The Registrar says, since the point has been raised, he leans to the view that a charge of 25 cents is the correct charge, whether the person searching has made a search in the Eastern Division or not.

Where a person has made searches in the office of the Eastern Division in regard to lands within that division and desires to continue and complete the search in the Western Division, because there is some instrument or map or plan affecting the lands in both divisions which remains and continues with the Registrar of West Toronto, I incline to think in fairness this should be treated as a continuation of a search, provided it is continued in connection with or immediately after the main searches in the Eastern Division and that the charge should only be five cents for an additional reference. I am glad to find that the Registrar's practice has heretofore been in accordance with the view I have expressed. I point out that if the person searching in the Eastern Division proceeds to the office of the Western Division and asks for the production of an original instrument, giving its number, he would only have to pay ten cents.

The only remaining question is this: If a person searches only one instrument and no abstract index is searched, is a charge of 25 cents a correct charge?

If a person gives the number of a particular instrument the registered original of which he desires to see, he can secure its production under subsection 11 of section 118 for a fee of ten cents, including search for the instrument; but if the person desires to make an isolated search of a particular instrument, not giving the number, and it is necessary for the Registrar in order to make search for the instrument, to examine the abstract index, then I think the fee should be 25 cents.

I think that the fee of five cents "for every additional reference" mentioned in subsection 2 of section 118 does not apply to an isolated search of a particular instrument, but is a fee additional to the fee of 25 cents for an ordinary search when not exceeding four references. In other words, where a search for which a fee of 25 cents is allowed, including four references, is being made, and the person searching finds it necessary to make more than four references, then he must pay five cents for each additional reference over four; the total fee for searching one lot being, of course, limited to $2.

AN APPOINTMENT BY WAY OF MORTGAGE IS AN INSTRUMENT WHICH MAY BE ENDORSED "NOT TO BE REGISTERED IN FULL."

A dispute has been referred to me by a Registrar as to whether or not an instrument endorsed "Not to be registered in full," made by A as mortgagor, of the first part, to B and C, Executors, as mortgagees, of the second part, is an instrument which is capable of being so endorsed. He contends that it is not such an instrument, and the Solicitors, Messrs. C. & Co., who presented it for registration, contend that it is an instrument which they are at liberty to so endorse.

The instrument is one purporting to be made in pursuance of a power of appointment; the operative words are, "The mortgagor doth appoint, grant and mortgage."

The question submitted to me for my decision has been briefly put in this form by the Registrar:

"Does an appointment by way of mortgage come within the provision of the Registry Act, authorizing the registration in the short form?"

The Solicitors say that they consider the instrument a mortgage pure and simple, or at most a mortgage by way of appointment. They say the sole purpose is to secure the money advanced, and it contains the usual proviso that it shall be void on repayment.

The instrument contains one or two covenants not usual in an ordinary mortgage, but not inconsistent with its character if otherwise to be treated as a mortgage.

Under the Statute authorizing mortgages to be endorsed "Not to be registered in full," we cannot, of course, enquire into the right or title of the mortgagor to grant the mortgage. The question is whether the instrument is in reality a mortgage. Can it make any difference whether a man *appoints* lands by way of mortgage or *grants* them by way of mortgage? Here he does both, and more. This instrument has all the incidents of a mortgage; it conveys land subject to a right of redemption in favor of the mortgagor, and a right of foreclosure in favor of the mortgagee. On the face of it, it passes the estate in the lands to the mortgagee by way of security for his advance.

I must hold that this instrument was capable of being endorsed "Not to be registered in full" as a mortgage.

REGISTRATION OF DEED IN BOTH GENERAL REGISTER AND SEPARATE REGISTER. NOT PROPER UNLESS DEED SHOWS IT AFFECTS LANDS IN SAME COUNTY WITHOUT LOCAL DESCRIPTION.

A question in difference between A and a Registrar has been referred to me.

Mr. A. registered a deed containing a description of lands by local description and containing a release clause at the end of the ordinary statutory form of release, as follows:

"And upon all the real and personal estate of him the party of the first part devised to him by the said will of the late C. D."

The recitals to the deed are to the effect that the late C. D., in his lifetime, of the Township of W, in the County of D, by will devised to his six sons and four daughters all his real and personal estate, to be sold and divided as therein set forth, and that the party of the first part, one of the devisees in the will, had agreed to sell to the party of the third part all his interest in the said real and personal estate so devised to him.

The lands described by local description embrace a farm lot in the Township of W, and certain Village lots in the Village of B.

The Registrar contends that he has the right to and that it was his duty to register the instrument in the general register as well as in the separate register for the Township of W, where the lands definitely described are situate, and he charges an extra fee therefor, and the contention of Mr. A. is that it was unnecessary to register the instrument in the general register and that the Registrar is not entitled to the extra fee therefor.

Section 29 of the Registry Act amongst other things requires the Registrar to keep a separate registry book for each Township, etc., within the County for which he holds office, and also to keep a general registry book for the whole County, in which shall be recorded all wills, etc., in which there is a general devise, etc., affecting lands without local description.

I think the latter part of this section should be read as follows:

"In which shall be recorded all wills, etc., in which there is a general devise, etc., affecting lands *within the county*, without local description."

I think it quite obvious the section means affecting lands *within the county*.

There is nothing in the release clause in the deed in question to show that it affects lands within the county in question. Assuming that the release clause does affect lands somewhere, they may be situate anywhere in the Province or even out of the Province.

Supposing a deed containing a conveyance of lands with local descriptions in five or six different counties, also contained general words of release similar to the words in the deed here, can it be contended successfully that the deed on being registered in each county, must necessarily go into the General Register of each county, as well as the Local Register?

If an instrument presented for registration contains a release of lands without local description, and does not affect lands by local description, the very fact that it is tendered for registration in a particular county implies that it affects lands in that county; but no such implication arises where the instrument tendered for registration contains a specific description of lands by local description. Here there in nothing whatever in the instrument itself to show that the general release clause affects lands in the same county as the lands locally described, nor in view of the fact that it expressly affects lands in another county, that of D by local description, does the circumstance of its being tendered for registration in that county raise any inference that the general release clause affects lands in that county.

I have come to the conclusion therefore, after a good deal of consideration, that it was sufficient to register this instrument in the Separate Register for the Township of W and it was not necessary to register it in the General Register.

FEES FOR REGISTRATION OF CERTIFICATE OF LIS PENDENS—WHERE IT AFFECTS MANY DIFFERENT LOTS AND IN SEVERAL MUNICIPALITIES.

A dispute as to fees for registering a certificate of Lis Pendens in a case has been referred to me. Messrs. H. & Co., who are the solicitors registering the certificate, consider $2 is the proper fee for registering the certificate. The Registrar claims $12.43.

The certificate affects upwards of 700 lots situate in eight different municipalities in the county. The Registration involved a very large amount of work for which even the fee which the Registrar claims is not adequate compensation.

The Registrar's view is that under the third clause of subsection 1 of section 118 of the Registry Act, as the instrument embraces different lots situate in different municipalities in the same county, its registration and copying must be considered separate and distinct registrations for each municipality in which the land is situate. He regards the document as "eight separate instruments" because he says the third clause of subsection 1 "constitutes his sole authority for giving any instrument a number for each municipality where it affects lands in more than one." He says "by referring to section 67 it will be seen that every instrument shall be numbered and if each municipality is not a separate instrument, there is no need to give any document more than one number, no matter how many municipalities it refers to."

The solicitors say that the fees for the registration of this certificate are those fixed by subsection 12 of section 118 of the Registry Act, and that this certificate does not come under the third or any other clause of subsection 1 of that section, because that subsection fixes the fees for registration of instruments "other than those thereinafter specially provided for" and subsection 12 specially provides for the fees for registration of this certificate and therefore subsection 1 does not apply. I concur in this view. The Registrar, while he seeks to read the third clause of subsection 1 down to the words 'separate and distinct registrations for each municipality in which the land is situate,"

wishes to stop short there. The clause, however, goes on thus "and shall be paid for as follows: where the aggregate copying does not exceed 700 words, $1.40" etc., clearly showing it has no application to such an instrument as this certificate.

I see no authority for treating each municipality as a "separate instrument." Section 64, as well as the very clause of subsection 1 of section 118 on which the Registrar relies, show that it is one instrument. The registration of some instruments in different municipalities is, for the purposes of fees, treated as separate registrations, but not as separate instruments.

While the fee of $2, is inadequate compensation for this particular work, it seems to me to be all the Registrar is entitled to and I decide accordingly.

DISCHARGE OF MORTGAGE BY THREE OF FOUR MORTGAGEES' TRUSTEES AND BY A NEW TRUSTEE (4th). NECESSITY FOR REGISTERING PROOF OF HIS APPOINTMENT AS TRUSTEE.

Messrs. M. & Co. applied to a Registrar to register a certificate of discharge of mortgage, and the Registrar declined to do so. The matter has been referred to me.

The discharge of mortgage is executed by four gentlemen who are named and who are stated in the discharge to be Trustees of a Life Insurance Company. It recites that these gentlemen are the present Trustees and that the mortgage was given in 1887 to the then Trustees. Three of the four Trustees of 1887 are still Trustees, the fourth name is changed, it is not known when or why. The Registrar refused to record the discharge unless the instrument shewing the due appointment of the present Trustee in the place of one who was Trustee in 1887 is registered.

The Solicitors inform me that the Company is an incorporated body, created by Deed of Settlement executed in 1842 and governed by several Imperial Acts and resolution passed under the authority of the deed and acts. They state the property is under these acts vested in trustees without any conveyance upon a memorandum of the appointment of the trustees being from time to time enrolled in Her Majesty's High Court of Chancery.

Section 78, subsection 1, of the Registry Act, enacts, where the person entitled to receive the mortgage money and to discharge any registered mortgage, is not the mortgagee, he shall, at his own expense, caused to be registered prior to the registration of the certificate of discharge, the instrument or document through which he claims interest in and title to the mortgage moneys, and until such instruments or documents are registered the Registrar shall not register such certificate or discharge.

Here three of the persons entitled to receive the mortgage money and to discharge the mortgage were mortgagees, but the fourth was not. The fourth claims interest in and title to the mortgage moneys by virtue of a memorandum of his appointment as a Trustee, which memorandum must be enrolled in the Court of Chancery in England.

Supposing the persons executing the discharge as Trustees of the Company were all different persons from the persons to whom the mortgage was made, would it be sufficient to entitle the discharge to registration to say that the persons executing the discharge in it asserted that they were Trustees without furnishing proof of their appointment?

Mortgages to ordinary trustees are very common. Can it be properly held that where, for instance, A and B take a mortgage as Trustees under a marriage settlement, t shall be sufficient to entitle a discharge of that mortgage to registration if B and C in he certificate of discharge describe themselves as the present trustees under the marriage ettlement without proof of the appointment of C in place of A?

The fact that three of the original Trustees here are three of the persons who, as continuing Trustees, execute the discharge, tends to incline one to favor the registration of this discharge, but the question arises, if we allow this, where are we to draw the line?

I think, though I so decide in this case reluctantly, that under section 78, as the persons entitled to receive the mortgage money, and to discharge the registered mortgage, are not the same persons who were the mortgagees, the memorandum of appointment of the fourth person as Trustee should be registered.

In other cases I have pointed out that where the requirements of the Statute in respect to a certificate of discharge of mortgage cannot be complied with, the old style of release and re-conveyance by deed may be resorted to, and the deed may contain recitals setting forth the fact of the change of Trustee, etc.

MODE IN WHICH AN INSTRUMENT SHALL BE SIGNED. PARTY MAY SIGN HIS NAME IN ANY MANNER HE SEES FIT.

Messrs. C. & Co., Solicitors, have asked my opinion upon a difference between them and a Registrar, arising in connection with the registration of an agreement made by several parties, one of whom is described in the instrument as DeWitt Smith. The execution of the agreement by him is duly attested and verified by a witness, who swears that it was executed by A, B and Dewitt Smith, three of the parties thereto. Smith, however, signed the agreement thus: "Whit Smith." The Registrar considered that he could not register the agreement on the ground that the name Dewitt Smith in the body of the instrument and the signature 'Whit Smith" were not the same. He thought if the initial letter "D" had been placed before the "Whit" he would be at liberty to register it, but to change the initial letter from D to W appeared to him to be wrong.

The Solicitors express their view thus:

"It is quite usual for people to use and adopt a shorter name than their real name, on the same principle that they sign by initial instead of writing their full name. So long, however, as the witness swears that the person named in the body of the agreement is the person whom he really saw execute it, it is no longer open to question"

The Solicitors say they request my ruling in a friendly spirit, and not from any desire to embarrass the Registrar.

Some people sign their names in full, some abbreviate, some leave out part and even the initial letters of part of their names altogether in signing; *e. g.*, the well-known case of a late Chancellor. Some write so illegibly that it is impossible to say what the signature is, or how much of the name is there, and how much is not, or whether it is the name at all. Some women named Elizabeth sign "Lizzie;" some men named Albert and Robert sign "Bert." Some again make a mark simply. In one case a Hebrew signed a deed in Hebrew and I affirmed his right to do so, and to have the deed registered, so long as the witness swore it was executed by the grantor.

The Registry Act does not lay down any rule as to how a signature shall be made, and a man is at perfect liberty to make his signature in any way he sees fit.

What is required is that there shall be a subscribing witness, who shall make affidavit of execution of the instrument. This has been complied with in this case.

In my opinion the signature is quite sufficient and sufficiently proved, etc., and the agreement should be registered.

ON PLANS PRIVATE ROADS MAY BE LESS THAN SIXTY-SIX FEET WIDE, BUT THEY SHOULD BE MARKED ON THE PLAN AS PRIVATE ROADS.

A matter in difference has been referred to me which has arisen between Mr. M , a Solicitor, and a Registrar.

Mr. M. desires to register a plan of a subdivision of part of a lot. The part subdivided contains about 50 acres, and the only approach to the lots laid off on the plan is a road which is marked on the plan as a private road. This road is not 66 feet wide.

The Solicitor states that the property has been surveyed and laid down on the plan to carry out an agreement between Mr. P., who desires to file the plan, and a Mr. A. for a private lane or way to Mr. A.'s lands adjoining.

The solicitor contends that subsection 2 of section 102 of the Registry Act, which directs that the Registrar shall not accept any plan on which a road less than 66 feet wide is laid out, unless the assent of the proper Municipal Council is registered therewith, where such assent is by law necessary, applies only to public roads which the person filing the plan is bound to dedicate to the public, and he says Mr. P. does not intend to dedicate the private road to the public, and is not bound to dedicate it to the public.

I am of opinion that subsection 2 above referred to only applies to public roads or roads intended to be dedicated to the public. I think a person may file a plan subdividing land into lots, and may reserve upon the plan private lanes and private roads, and that these may be of any width he deems fit. I think, however, not only should such roads and lanes be distinctly marked "private" on the plan, but that some line or marks should be drawn across the roads or lanes to show that they are not intended to be dedicated to the public. If, therefore, the road is left entirely open upon the plan in question, I recommend the surveyor or parties interested, by a line drawn across the private road, or by marks drawn across it, to indicate that it is not intended to be an open road for the benefit of the general public.

If that is done, and provided the road is marked "private," I think the Registrar may accept the plan for registration, but in that case he must open a heading in his abstract index for the "private" road as well as for the lots.

AN INSTRUMENT WHICH NOT ONLY ASSIGNS A MORTGAGE BUT EXTENDS THE TIME AND ALTERS TERMS OF MORTGAGE, &c., IS NOT AN INSTRUMENT WHICH MAY BE ENDORSED "NOT TO BE REGISTERED IN FULL."

A Registrar has submitted to me a question which has arisen between himself and a solicitor, touching the fees payable in respect of the registration of an instrument endorsed "Not to be registered in full."

The instrument is called an assignment of mortgage. The Registrar says that the instrument is something more than an assignment of mortgage as it contains an agreement between the assignee and one D, who was not a party to the mortgage assigned, and it is therefore an instrument which should not be endorsed "Not to be registered in full." The solicitor's contention is that it is an instrument which he is at liberty to endorse "Not to be registered in full."

Where the mortgagor or the owner of the equity of redemption joins in the assignment of mortgage for the purpose of assenting to the assignment and to acknowledge the

amount due, and even of covenanting directly with the assignee to pay the amount, I think the assignment may, notwithstanding be endorsed "Not to be registered in full," but the instrument here varies the terms of the mortgage, that is to say, the instrument not only introduces a new party who was not a party to the mortgage, but it alters the terms of the mortgage by extending the time for payment, and by reducing the rate of interest. It also contains a covenant by the assignee with the new party granting the extention of time and agreeing to the reduction of interest. It alters the charge on the land and the terms thereof. This instrument accomplishes what is ordinarily accomplished by two instruments, namely, by an assignment of mortgage and a deed of extension of time, and for the reduction of the rate of interest. I think on receipt of such an instrument as this it would be the Registrar's duty to do more in entering it in his abstract index than he would have to do in the case of a simple assignment of mortgage

I therefore concur in the view of the Registrar that this instrument is more than an assignment of mortgage and is not an instrument which could properly be endorsed "Not to be registered in full," and I rule accordingly.

STATUTORY DISCHARGE OF DERIVATIVE MORTGAGES MAY BE REGISTERED RE-ASSIGNMENT NOT NECESSARY.

A question has arisen which has been referred to me between a Registrar and a Solicitor.

The circumstances are: A mortgage was made and registered by one J to one M for $850 on six acres of land. Afterwards M assigned the mortgage, including his interest in all the lands, to one R, in consideration of $850. This assignment contained a proviso that it should be void on payment of $500 with interest, etc. Afterwards M assigned to one K in consideration of $250, granting two lots only. This assignment evidently is by way of mortgage to secure $250 and interest at eight per cent. Later, M, under the power of sale, conveyed two of the lots to one B.

The solicitor now tenders for registration two certificates of discharge. These discharges are executed, one by K, assignee of M, and one by R, the other assignee of M.

These discharges on the face of them purport to certify that M has satisfied all money due or to grow due on a certain mortgage.

The Registrar doubts whether section 76 of the Registry Act applies to anything but an absolute discharge of mortgage, that is, a discharge not by the mortgagee of a mortgage, but by the absolute assignee of the mortgage, and he states further, that the proper mode of accomplishing the purpose, was for R and K to have reassigned to K.

I think the instruments may be treated as respectively discharges of the derivative mortgages. The assignments to R and K were by way of mortgage; that is, each had a derivative mortgage; and it is desired to discharge each of these derivative mortgages. I think the Registrar may receive the instruments and register them, noting in the proper books by whom they are executed and what they purport to accomplish, and it will then be for persons searching the title to satisfy themselves as to the effect of the instruments. I also think the proper fee is as for an ordinary certificate of discharge of mortgage, fifty cents.

AN ASSIGNMENT OF SEVERAL MORTGAGES ENDORSED "NOT TO BE REGISTERED IN FULL." FEES.

A dispute as to fees has arisen between Messrs. J. & Co. and a Registrar.

The Solicitors sent to the Registrar an assignment of mortgages, and marked it "Not to be registered in full." The document purported to assign four different mortgages. The solicitors stated that the mortgages covered the same lands, but the Registrar's report to me shows no two of them cover exactly the same lands. They seem to cover various parts of lot A in the 7th and A in the 8th concession, and of C in the 8th concession of M, necessitating seven different entries.

The Solicitors contend that under subsection 6 of section 61 of the Registry Act they had the right to endorse this assignment of these four mortgages "Not to be registered in full," and to pay reduced registration fees accordingly.

The language of subsection 6 is "In this section the word 'mortgage' shall include an assignment of a mortgage."

I had expressed an opinion on a previous reference to me that the Act does not permit the endorsement "Not to be registered in full" on an assignment where the assignment is an assignment of more than one mortgage.

To that view, on further consideration, I adhere.

In the opinion referred to I further stated I was inclined to hold, although not free from doubt, that the solicitor, by endorsing the assignment as he had done, having shewn an intention to avail himself of the benefit of the new Act, and he should, if possible, have the benefit of that intention.

In my previous opinion, I stated my views on that point thus:

"On the whole, although I confess I am not free from doubt on this point, I incline to hold that the fees to which the Registrar is entitled here, are fees as if five separate assignments had been made, one of each mortgage, and as if each assignment had been duly endorsed 'Not to be registered in full.'"

In that case, it cost more to register the assignment at length than to pay $1 in respect of each mortgage.

In the case now before me it would cost less to register the assignment of mortgages in the old way than if a charge was made under my former opinion of $1 in respect of each mortgage assigned.

In the working out of that opinion it was left optional with the Solicitor to register in either way.

The Solicitors here were not given any option by the Registrar. The Registrar supposed they knew my former opinion. He did not, therefore, call their attention to the difference it would make in the fees.

The solicitors now contend that my opinion was wrong and they in effect ask me to re-consider it.

I have therefore re-considered the matter, and adhere, as I have already mentioned, to the view formed by me, that the instrument could not properly be endorsed "Not to be registered in full."

The Solicitors then say the instrument either was or was not properly endorsed, and they therefore think the mode of charging $1 per mortgage is erroneous. On this point I have, after further consideration, concluded that it is not proper to charge so much per mortgage, but that the fees should be according to the fees for instruments not so endorsed—that is, instruments registered in the ordinary way. My decision therefore is that the fees for registering this instrument are to be the fees as for an assignment of mortgages which is not endorsed "Not to be registered in full."

OPINIONS GIVEN BY DONALD GUTHRIE, Q.C., INSPECTOR OF REGISTRY OFFICES.

STATUTORY DISCHARGE OF MORTGAGE SHOULD SHOW THAT PERSON EXECUTING IT IS THE MORTGAGEE.

WHERE MORTGAGE MADE IN ALLEGED ERROR TO B INSTEAD OF C IT CANNOT BE DISCHARGED BY C.

The following question has been submitted for my opinion and direction by a Registrar.

A mortgage was registered 10 March, 1898, from A to B by a firm of Solicitors.

They now present to the Registrar for registration a discharge beginning "I, B. C. &c., do certify &c., &c., (as in statutory form) on a certain mortgage made by him the said A to B by a clerical error instead of to me the said B.C., which mortgage bears date &c."

The Registrar returned it as not being in conformity with Section 76 of the Registry Act, 1893. He pointed out in his letter returning it to the Solicitors desiring to register the discharge that they did not show in the discharge that the person executing is the mortgagee, but had merely said that the mortgage was erroneously made to another person, instead of to the person executing the discharge.

The Solicitors state that an error was made in the mortgage and that the only mortgagee is B.C., and therefore he is the person and the only person entitled to the money and to discharge the mortgage. That B has no existence so far as they are concerned, in this transaction, and that B.C. could not properly sign the name "B" without incurring a possible risk of prosecution.

It seems to me that the Registrar returning the discharge, stated the position exactly, when he said that the discharge did not say that the person executing it was the mortgagee.

I think the Registrar did right not to accept this discharge.

The way of correcting the error is, as suggested by the Registrar, a deed reciting all the facts, to be signed by both the mortgagor, who ought to know to whom he intended to give the mortgage, and by B.C., such a deed ought to be sufficient for all practical purposes.

REGISTRATION OF DECLARATION OF INCORPORATION OF A HARBOR COMPANY MAY BE PROPERLY MADE WITHOUT AN AFFIDAVIT VERIFYING SIGNATURES.

To

A Barrister.

I duly received your letter and have heard from the Registrar.

You state that the Registrar had registered an instrument without the affidavit of the subscribing witness being a declaration of incorporation of a Harbor Company under Chapter 161, Section 2, R.S O. 1887, and you claim that it does not come within the exceptions mentioned in the clause of the Registry Act, Section 40, and is not properly on the Registry, and you ask me whether I agree with your view.

Chap. 161, Section 2, R.S.O. 1887, provides that persons becoming shareholders, shall execute an instrument according to the form given in that Act and goes on to say that the shareholders shall register the instrument with the Registrar of the Registry Division in which the work is situated.

The form given in that Act provides three columns, one for the name of the shareholder, another column for the number of shares, and another column for the amount. There is nothing in the form to indicate that the signatures of the shareholders are to be witnessed, nor is there provision in the form for the signature of a witness, and there is nothing in that Act requiring an affidavit.

Under the Registry Act this instrument of Association of Shareholders does not appear to be covered by the word "instrument." See the interpretation clause of the Registry Act, Section 2, Subsection 1. It is not an instrument whereby lands or real estate may be transferred, disposed of, charged, incumbered or affected, and I take it that Section 40 of the Registry Act defining the proof required under that Act, refers to the class of instruments described in the interpretation clause.

As a matter of convenience, various instruments are required to be registered by different Acts outside of the Registry Act. For instance, By-laws have to be registered, under the Municipal Act, and partnerships under the Act respecting the registration of co-partnerships and business firms.

Under the latter Act the declaration of a partnership for registration does not require either to be witnessed or to be verified by affidavit, and the practice in all the Registry Offices, I think, is to register these declarations of co-partnership or of dissolution of partnership without affidavits.

I take it the principle is that where registration as an instrument, especially one not directly affecting lands, is required or authorized under a special Act, ordinarily speaking that Act governs the requirements for registration; here the Act under which this instrument of association was registered does not require an affidavit, and I think the General Registry Act relating to registrations against lands, does not apply.

I think, therefore, that the affidavit not being required by the Act first referred to, the registration of the declaration in this case, without an affidavit, was proper.

REGISTRATION IN FULL OF ASSIGNMENT OF SEVERAL MORTGAGES—FEES.

To

A Registrar.

I am in receipt of your letter touching the Assignment of Mortgages, five in number, included in one Deed of Assignment registered by a firm of Solicitors.

I understand that they desire the instrument to be registered in full.

Where an Assignment of Mortgage is to be registered in full, you will deal with it in the matter of charges as you would with any ordinary instrument—in other words, the Act authorizing instruments to be endorsed "Not to be registered in full," does not apply in the matter of fees or in any other way. You will therefore not charge in the way indicated by you, but be governed by Section 118 of the Registry Act, Subsection 1.

REGISTRATION OF DEED WHERE THE AFFIDAVIT STATES IT WAS EXECUTED BY ALL THE GRANTING PARTIES THERETO WITHOUT NAMING THEM.

To

A Registrar.

With regard to the affidavit of execution of the Deed to a Railway Company, which states that the witness was personally present and saw the instrument and duplicate thereof signed, etc., by all the granting parties thereto, except the said F. A., if it plainly appears by the instrument who the granting parties are, for instance, if there are several parties of the first part and the operative words of the instrument are that the parties of the first part do grant unto the party of the second part, etc., then I should say that it would not be well for you to reject the instrument because of the rather peculiar way in which the affidavit is expressed.

I think you would better accept for registration the Deed, notwithstanding that the affidavit departs from the ordinary form.

REGISTRATION OF A WILL WHICH IT IS ALLEGED INCORRECTLY DESCRIBES THE LANDS INTENDED TO BE DEVISED.

To

A Registrar.

I am in receipt of your letter in which you ask my opinion under the following circumstances.

Mr. E. desires to register a will, but the lands, while described therein with local description are erroneously described—in one case the east half of a lot should be described as the north half; and in another case, part of lot 17 in the eighth should be described as part of 16 in the seventh con. Mr. E. who desires to register the will, wishes to know if he may file an affidavit or declaration stating what the lands were, which were intended to be devised, and you desire my opinion as to whether in that case you could register the will and enter it upon the proper lots.

You also desire to know whether if it cannot be registered upon the proper lands with a declaration attached whether it can be registered in the general register in its present shape.

1. In answer to the first question I have to say that I do not think you can receive a declaration altering the description of the will. If you register the will as it now stands, it must be registered against the lands described therein.

2. I am of opinion, unless there is a devise of lands without local description, you cannot register the will in the general register, and even if you could do so, you would also have to register it against the lands described in the will itself.

I may suggest for Mr E.'s consideration whether he could not, in a measure overcome the difficulty by having the Executors convey the land to the devisees by the correct descriptions, and in that deed there would be recitals setting forth the errors in the descriptions in the will.

I have not seen the will and I am not in a position to say whether the foregoing suggestion will cure the difficulty or whether there may not be some better step taken by Mr. E. to correct the error.

DISCHARGE OF MORTGAGE BY THE LIQUIDATOR OF A MORTGAGEE COMPANY. NOT NECESSARY THAT ORDER OF COURT APPOINTING LIQUIDATOR SHOULD BE REGISTERED.

To

A Registrar.

In answer to your letter I have to say that as I understand it your view is that the discharge of mortgage executed by A Company by B as liquidator, should not be registered until the order of the Master in Ordinary appointing B liquidator has first been registered, and your opinion is that this is necessary under Section 78 of Chapter 136 R.S.O. 1897. I do not think this subsection applies. The mortgagees were A, and that Company, under its Corporate Seal, discharges the mortgage. It is true that a Liquidator has been appointed, but the Liquidator is in the same position as or one corresponding in some degree to that of an attorney, and I have held that where a mortgage is discharged by the attorney for the mortgagee, it is not necessary that the power of attorney should be registered, because the discharge is a discharge by the mortgagee. True it is through an attorney, or agent, still it is the mortgagee's act in law.

Supposing there had been no recital in the discharge (and I give no opinion as to the propriety of permitting such recitals in a discharge) and it had gone on in the usual way in the name of A to certify that S had satisfied the money due on the mortgage, that the mortgage had not been assigned, &c., I do not think it could be contended successfully that it was necessary that the authority of the liquidator to execute in the name of A and under its Corporate seal should be registered.

WHERE PROBATE OF WILL HAS BEEN REGISTERED AND IT IS AFTERWARDS AMENDED BY SURROGATE COURT—THE REGISTRAR CANNOT ALTER HIS BOOKS BY AMENDING REGISTRATIONS. PROPER COURSE IS TO REGISTER THE PROBATE AS AMENDED.

To

A Registrar.

I am in receipt of your letter and also one from the solicitor.

As I understand the matter the probate of the will of E. P. was registered in your office by a certified copy on the 18th August last. Sometime afterwards it was discovered by the solicitor that the Registrar of the Surrogate Court had made an error in the copy of the will attached to the probate, he having left out some twenty words in one part of the will, affecting the description of a part of the land.

When this omission was discovered, the Registrar of the Surrogate Court amended the Probate by inserting the words previously omitted.

What is now asked is that you permit the copy of the probate filed in your office and also the General Register in which it has been copied to be amended.

I do not think this can be permitted. The copy registered was at the time a true copy of the probate as it then existed. I see nothing for it but to have the probate re-registered.

DUTY OF REGISTRAR WHERE AFFIDAVIT OF EXECUTION IS PLAINLY INSUFFICIENT.

To

A Registrar.

I have examined the copy of the affidavit submitted to me for my opinion in your letter of 1st October and I have no hesitation in saying that in my opinion it is insufficient, and I do not think you can be compelled to register the instrument upon it, nor do I think you should do so. This affidavit begins, "I (blank) make oath and say, and there is also a blank in the affidavit in the space left for the names of the parties who executed the instrument. It reads that the instrument was duly signed, sealed and executed by the parties thereto.

Of course if the instrument apparently is executed by all parties thereto, the latter objection may be removed, but Section 40 of the Registry Act requires that the subscribing witness to the instrument shall, in the affidavit set forth his name, residence, addition, occupation or calling in full. These requirements have been entirely ignored.

Then on turning to the form of schedule G to the Registry Act, it is plain that the affidavit should begin with the name in full, place of residence, calling and occupation of the deponent. Supposing one of these particulars is omitted, and the Registrar, through inadvertance or otherwise, receives the instrument, Section 44 declares that the instrument having been registered, the defect shall not invalidate the registration; but where the requirements of the Statute are in no way complied with, I do not think a Registrar should accept the instrument.

REGISTRATION OF WILL MUST BE EITHER BY PROBATE OR UPON AFFIDAVIT BY WITNESSES TO WILL.

To

A Barrister.

In answer to your letter I have to say that I do not think under section 70 of the Registry Act a Registrar can register an original will upon affidavit by persons who are not witnesses to the will. In your case, as the witnesses to the will are dead, it seems to me your course is to have the will admitted to probate, which you can no doubt do by proper proof to the Surrogate Judge of the signature of the testator and the signature of the witnesses, and then the will can be registered by the production of the probate, etc., under section 70.

STATUTORY DISCHARGE OF MORTGAGE EXECUTED BY ONE OF SEVERAL MORTGAGEES CLAIMING TO BE SOLE HEIR OF THE OTHERS, ETC.

To

I am to-day in receipt of your letter.

By the 58th Victoria, cap. 44, sec. 4, now Revised Statutes of Ontario, 1897, cap. 136, sec. 78, it is enacted that where the person entitled to receive the mortgage money and to discharge any registered mortgage is not the mortgagee he shall, at his own expense, cause to be registered, prior to the registration of the certificate of discharge,

the instrument or documents through which he claims interest in and title to the mortgage money, and until such instruments or documents are registered, the Registrar shall not register such certificate of discharge.

In your case, the mortgagees (assuming that A who signs your discharge is the same person who was one of the original mortgagors) were also B, C, D and E, and therefore until documents showing the right of the one to discharge for all the others are registered, the new provisions of the law above referred to are not complied with. The discharge which you desire to have registered states that A, who signs the same, represents the firm of T. & Co. as sole heir of T., who was the sole owner of the firm. There is nothing on record to show that T., now deceased, was the sole owner of the firm nor that A. is his sole heir.

You will notice that by the new Act above referred to where the person entitled to receive the mortgage money and discharge the mortgage is not the original mortgagee, he is the one who is to be at the expense of causing to be registered the instrument or instruments through which he claims interest in and title to the mortgage moneys. See also section 79 of the Registry Act.

It may not be going out of my way to mention to you that the new Act, in my opinion, applies only to what are called Statutory Certificates of discharge of mortgage; it does not apply to the old common law reconveyance and discharge of mortgage, and if you find it more convenient to have such a reconveyance and discharge, perhaps you can procure such an instrument. If you do, there is no objection to its registration without registering other documents. In it there could be recitals showing the title of A to reconvey the land and discharge the mortgage.

REGISTRATION OF AN INSTRUMENT AGAINST LAND AFFECTED BY RECITAL ONLY.

To

A Registrar.

I am in receipt of your letter asking my opinion as to whether or not I think a mortgage R. and wife to M. upon land in W——— should also be registered in C——— because of a recital in the mortgage to the effect that the mortgagor had purchased from the mortgagee a certain lot as described in the recital in C——— under a written agreement for sale, had made default in payment of an instalment of principal and interest and had agreed to give the mortgage as additional or collateral security for the payment of the amount due under the agreement.

I am of opinion not only because of subsection 2 of section 27, to which you refer me, but on principle, that this mortgage should be registered in C ——— as well as in W———.

The recital may operate by way of estoppel to prevent the mortgagor denying that he had purchased the lot in C——— and to show so far as he is concerned the mortgage recognizes the mortgagee's security upon the lot in C——— under his agreement. At any rate it is certainly safer for you to register the mortgage in C——— as well as in W———.

ADMINISTRATOR OF REAL PROPERTY ONLY IS NOT ENTITLED TO GIVE STATUTORY DISCHARGE OF MORTGAGE.

To

A Registrar.

In answer to your letter I beg to say that in my opinion a person who is merely administrator as to the real estate of a deceased mortgagee is not by virtue of that appointment alone, a person entitled to receive the mortgage money and discharge the mortgage, because I agree with you that a mortgage is personal estate.

STATUTORY DECLARATION ENDORSED ON A MORTGAGE MARKED "NOT TO BE REGISTERED IN FULL." FEES.

To

A Registrar.

I am in receipt of your letter submitting to me a question as to whether or not in the case of a mortgage marked "Not to be registered in full," you can charge more than $1, registration fee, by reason of there being endorsed on the mortgage a Statutory Declaration that the mortgagor is an unmarried man.

I think that you should not charge anything extra because of such an endorsement. Solicitors sometimes mark on the back of instruments words such as "Not responsible for title," or "Title not searched by us," and other things, and it is a matter of general convenience that such endorsements should be permitted; especially as they do not involve any extra work or responsibility on the part of the Registrar.

If you think it necessary, you can in endorsing the certificate of registration of mortgage, put in the certificate words showing that the Statutory Declaration is not registered. It is of course not capable of registration as a separate instrument. See my Report for 1897, page 25, 3rd clause from end, for an instance of or suggestion for such a form of certificate.

DERIVATIVE MORTGAGE. DISCHARGE OF ORIGINAL MORTGAGE.

To

A Registrar.

I am in receipt of your letter with enclosed papers relating to discharge K to L,

The point submitted arises under the following circumstances:

A mortgage was made by B to H and by H assigned by way of mortgage to V and V and H now jointly discharge the original mortgage. The question you submit is, as to whether one or two discharges of mortgage are necessary; that is whether there should not be a discharge of the mortgage of the mortgage as well as a discharge of the original mortgage.

I am of opinion that one discharge of the original mortgage is sufficient, that being executed by all parties interested.

I do not see that it is necessary to execute a separate discharge of the derivative mortgage, especially in view of the fact that H the original mortgagee, who was the mortgagor under the derivative mortgage, joins in the discharge of the original mortgage.

MORTGAGE TO SECURE PAYMENT OF MONEY UNDER PARTNERSHIP AGREEMENT HAVING A COPY OF AGREEMENT ANNEXED MAY BE ENDORSED "NOT TO BE REGISTERED IN FULL."

To

A Registrar,

I am in receipt of your letter also of the mortgage B to D, and I do not consider it necessary to wait to hear from the other side before expressing an opinion. The question for my opinion is, can the instrument be endorsed "not to be registered in full?"

On examining the mortgage I find it is one upon land in A street and is given to secure payment of $5,000 or so much thereof as may become payable under the terms of an agreement of co-partnership, a copy of which is annexed to the mortgage.

The recital to the mortgage refers to the copy of agreement and states that the mortgagor had agreed to secure the $5,000 collaterally by the mortgage. Otherwise the mortgage is in the usual form under the Short Mortgages Act, with some additional printed clauses contained in ordinary mortgages.

I find from the copy of the agreement in so far as the land mortgage is concerned the agreement does not alter the effect of the mortgage and does not make it more nor less than a mortgage.

It seems to me that the effect of the instrument is precisely the same as if instead of annexing the agreement, its contents had been embodied in the mortgage by way of recital, or otherwise had been incorporated in the body of the mortgage.

I am therefore of opinion that the mortgage is an instrument which could be endorsed "Not to be registered in full."

I may add that you are not bound in your books to notice the partnership agreement as anything separate from the mortgage—in other words, you will enter the instrument in the same way as you would do had the agreement been embodied in the mortgage by way of recital or otherwise, instead of being referred to by an attached copy. I do not consider you are registering the articles of partnership.

FEES AND EMOLUMENTS received by the Registrars of Deeds for the Province of Ontario for the year 1898, and 7, with which are contrasted the amount of Fees, Surplus to

Schedule A.

No. of registration division.	Name of registration division.	Name of Registrar.	1 No. of municipalities.	1a Total No. of instruments registered in 1897.	Instruments registered in 1898. 2 Total number.	3 Fees therefor.	4 Uncopied.	5 Copied but un compared.
1	Algoma	Robert A. Lyon	18	1,449	993	$1,919 64	.....	.....
2	Brant	W. B. Wood	7	1,591	1,848	2,120 10	109	3
3	Bruce	Donald Sinclair	27	3,169	3,475	3,978 00	.....	.....
4	Carleton	Patrick J. Coffey	13	2,165	2,447	3,003 95	.....	.....
5	Dufferin	William McKim	9	1,555	1,440	1,727 20	.....	.....
6	Dundas	Thomas McDonald	8	826	1,051	1,321 09	24	.....
7	Durham, East	George C. Ward	5	567	658	813 25	.....	.....
8	Durham, West	J. W. McLaughlin	5	501	570	731 95	6	.....
9	Elgin	James H. Coyne	13	2,709	2,855	3,215 40	.....	.....
10	Essex	J. W. Askin	23	3,463	3,560	4,303 55	10	2
11	Frontenac	J. D. Thompson	19	1,212	1,310	2,005 45	.....	.....
12	Glengarry	John Simpson	8	966	947	1,066 10	.....	.....
13	Grenville	Patrick McCrea	9	1,188	1,041	1,379 10	.....	.....
14	Grey, North	Robert McKnight	12	2,003	2,045	2,399 60	23	.....
15	Grey, South	Thomas Lauder	10	1,801	1,731	2,473 87	30	30
16	Haldimand	J. Baxter	14	1,037	1,268	1,632 61	55	...
17	Haliburton	E. C. Young	11	189	186	252 50	4	.....
18	Halton	D. Robertson	9	970	918	1,555 40	.....	.....
19	Hastings	H. Wright Day	22	2,645	2,539	3,095 10	182	.....
20	Huron	James D. Cannell	25	4,051	3,735	4,101 55	136	.....
21	Kingston, city	James P. Gildersleeve	1	792	774	903 16	4	4
22	Kent	P. D. McKellar	20	3,757	4,022	4,662 60	54	.....
23	Lambton	A. McLean	20	4,217	4,108	4,619 90	30	.....
24	Lanark, North	John Menzies	10	587	560	668 80	.....	.....
25	Lanark, South	James Armour	10	1,897	2,148	1,888 96	.....	.....
26	Leeds	W. H. Cole	15	1,927	1,825	2,221 50	.....	.....
27	Lennox & Addington.	S. Gibson	16	1,242	1,041	1,199 55	.....	.....
28	Lincoln	J. G. Currie	14	1,817	1,789	2,124 54	94	11
29	London, city	W. C. L. Gill	1	1,719	1,912	1,952 80	2	.....
30	Manitoulin	D. R. Springer	32	501	355	363 65	.....	.....
31	Middlesex, N. & E.—	John Waters	13	2,110	2,079	2,305 41	105	....
32	Middlesex, W.	S. Blackburn	10	1,232	1,115	1,372 70	.....	.....
33	Muskoka	J. E. Lount	27	1,044	1,031	1,299 25	133	....
34	Nipissing	A. G. Browning	22	512	390	663 90	15	.....
35	Norfolk	A. J. Donly	13	1,832	1,965	2,309 00	.....	.....
36	Northumberland, E—	A. E. Mallory	9	972	1,055	1,443 21	95	.....
37	Northumberland, W.	F. W. Field	5	594	636	827 00	131	.....
38	Ontario	George W. Dryden	17	1,858	1,764	2,217 30	75	.....
39	Ottawa, city	Alex. Burritt	1	2,602	2,770	2,978 00	23	.....
40	Oxford	George R. Pattullo	16	2,699	2,745	3,225 50	155	.... .
41	Parry Sound	Thomas Kennedy	47	767	632	811 50	.....	.....
42	Peel	Kenneth Chisholm	8	1,111	1,367	1,321 79	.....	.....
43	Perth, North	David D. Hay	9	1,686	1,745	2,006 60	16	.....
44	Perth, South	Patrick Whelihan	7	902	955	1,136 80	91	9
45	Peterborough	Bernard Morrow	20	1,737	1,834	2,066 95	35	10
46	Prescott	John Higginson	10	1,435	1,408	1,702 00	.....	...
47	Prince Edward	Walter Mackenzie	9	945	1,025	1,374 25	314	.....
48	Rainy River	F. J. ApJohn	4	406	356	535 15	.....	.....
49	Renfrew	W. C. Irving	26	2,390	2,180	2,606 88	.....	28
50	Russell	Alex. Robillard	6	1,115	993	1,254 25	.....	.....
51	Simcoe	Samuel Lount	26	4,112	4,162	5,052 80	36	.... .
52	Stormont	John Calvin Alguire	5	1,187	1,215	1,421 45	8	....
53	Thunder Bay	J. Munro	26	474	615	814 50	2	.....
54	Toronto, East	Peter Ryan	1	3,008	3,364	3,843 50	20	20
55	Toronto, West	Charles Lindsey	1	2,520	3,073	3,748 30	49	.....
56	Victoria	C. D. Barr	18	1,774	1,694	1,969 10	9	9
57	Waterloo	Alex. W. Merner, acting	13	2,458	2,607	3,127 50	.....	.....
58	Welland	James E. Morin	16	1,861	1,950	2,603 60	56	.....
59	Wellington, North	John Anderson	11	1,606	1,395	1,605 60	17	20
60	Wellington, S. and C.	H. Higginbotham	12	1,722	1,487	1,700 20	36	.....
61	Wentworth	G. Aurey, act'g to Feb. 1. / R. K. Hope to Dec. 31st.	10	3,914	581 / 3,457	507 50 / 3,818 00	319 / 167	..... / .... .
62	York, E. & W	James Massie	14	1,881	2,018	2,579 50	38	4
63	York, North	James J. Pearson	10	1,169	1,002	1,234 00	.....	.....
				108,148	110,578			

made in accordance with the provisions of 56 Vic. cap. 21, secs. 117, 120 and 121, and 57 Vic. c. 9, secs. 6 Municipalities and Registrars' incomes for the years 1897 and 1896.

Schedule A.

Patents.		Deeds.		Mortgages.		Dis. of mortgages		Wills.		Leases.		
6 No. registered.	7 Fees for same.	8 No. registered.	9 Fees for same.	10 No. registered.	11 Fees for same.	12 No. registered.	13 Fees for same.	14 No. registered.	15 Fees for same.	16 No. registered.	17 Fees for same.	No. of reg. division.
5	$8 55	406	$ 616 50	228	$ 264 00	148	$73 55	10	$16 80	.....	.....	1
1	1 55	581	913 45	443	477 50	519	267 35	91	193 75	8	15 10	2
1	1 40	1,211	1,853 10	932	1,028 85	910	465 15	119	239 90	8	16 45	3
3	4 20	838	1,298 40	641	792 85	669	420 80	90	203 80	9	15 90	4
1	1 40	433	644 80	393	444 65	408	205 80	37	80 25	3	6 35	5
.....	.....	371	575 43	270	374 60	291	145 90	44	85 70	5	8 05	6
.....	.....	198	311 80	157	188 00	148	92 95	29	53 75	.....	.....	7
.....	.....	182	279 60	139	168 75	118	73 25	29	69 75	1	2 00	8
1	1 40	918	1,414 65	741	822 80	825	420 45	75	181 70	28	47 80	9
3	5 25	1,288	1,997 55	889	1,068 25	820	449 40	68	118 00	111	166 80	10
11	15 70	453	673 70	333	398 35	300	200 70	57	97 95	44	78 40	11
.....	.....	289	421 90	246	284 40	217	107 00	74	107 15	7	13 85	12
4	6 50	392	621 05	242	382 05	245	125 30	65	113 05	8	13 15	13
3	4 80	688	1,019 20	517	620 10	490	249 25	75	165 60	2	4 75	14
2	2 80	584	868 30	448	822 95	450	230 10	46	81 25	3	3 95	15
4	6 25	434	670 56	329	385 35	327	184 00	66	124 45	6	8 55	16
.....	.....	86	122 45	54	64 10	21	10 70	3	4 15	1	1 70	17
.....	.....	300	460 80	246	292 15	258	129 50	60	86 85	.....	.....	18
10	11 80	1,015	1,474 50	575	717 85	509	257 55	113	188 75	27	45 65	19
5	8 10	1,139	1,675 55	1,001	1,074 10	1,010	514 50	159	270 55	5	12 50	20
4	6 35	217	332 86	191	212 55	193	132 30	34	60 50	2	3 70	21
2	2 80	1,326	1,938 25	1,038	1,110 90	970	485 00	119	199 90	45	69 95	22
1	1 55	1,447	2,196 18	1,054	1,147 35	1,099	562 15	102	181 70	60	108 45	23
2	2 95	192	296 20	149	194 80	143	80 55	38	62 15	.....	.....	24
1	1 40	441	679 86	364	512 45	404	155 35	51	101 10	3	7 25	25
11	17 76	599	918 80	483	651 80	436	220 30	118	186 50	16	28 70	26
2	3 70	335	502 00	294	350 80	265	133 30	57	99 55	5	8 55	27
2	8 95	631	1,006 60	479	505 24	429	244 40	63	119 50	20	35 40	28
.....	.....	536	810 80	554	559 05	576	297 65	55	101 20	2	3 25	29
56	.....	126	184 60	78	106 10	40	20 00	3	4 80	.....	.....	30
.....	.....	645	983 95	541	553 70	586	297 30	103	197 51	5	11 10	31
.....	.....	390	599 25	268	297 20	297	151 30	44	88 00	10	15 75	32
9	12 60	445	668 55	246	298 05	191	102 55	13	29 80	5	10 10	33
2	2 80	136	207 35	95	124 35	85	47 30	4	6 20	...	.....	34
1	1 40	634	978 25	495	612 40	558	279 00	60	148 15	7	10 40	35
4	.....	446	697 91	290	364 90	276	143 80	36	73 70	2	1 90	36
.....	.....	217	348 35	148	190 70	139	74 75	41	73 80	2	4 25	37
.....	.....	613	967 20	437	515 00	386	197 05	83	210 10	3	8 20	38
21	22 40	803	1,256 95	859	853 50	693	350 20	73	141 65	1	1 80	39
.....	.....	845	1,287 95	689	836 20	711	412 85	120	222 50	14	26 95	40
12	16 95	249	391 60	151	180 80	85	47 10	6	9 00	2	3 10	41
.....	.....	245	282 45	239	167 10	187	149 84	52	109 90	3	8 25	42
.....	.....	509	748 05	472	586 95	503	260 90	66	143 05	3	7 10	43
.....	.....	262	388 85	232	293 80	257	129 40	54	114 00	4	7 10	44
4	6 30	527	843 10	449	501 00	493	248 30	74	134 35	....	....	45
.....	.....	522	807 20	366	472 60	387	193 50	31	62 60	1	4 45	46
.....	.....	334	470 95	258	301 65	281	141 10	44	72 90	.....	.....	47
.....	.....	140	207 25	89	94 30	47	23 50	1	2 00	.....	.....	48
2	3 10	894	1,286 65	617	711 70	423	271 75	50	100 00	2	3 10	49
.....	.....	503	710 00	258	390 00	209	110 50	26	39 05	3	4 70	50
.....	.....	1,467	2,205 80	1,044	1,264 66	961	542 95	130	282 86	8	15 65	51
2	2 80	452	678 00	294	329 65	301	152 60	57	114 85	2	2 80	52
.....	.....	310	481 40	135	179 05	79	49 15	2	7 60	....	.....	53
.....	.....	831	1,461 80	796	878 50	835	439 35	2	5 30	71	200 75	54
.....	.....	865	1,456 05	674	749 80	670	347 00	131	271 50	3	9 10	55
1	1 40	580	891 35	463	514 00	399	201 95	59	160 80	10	15 35	56
4	5 60	971	1,545 55	638	710 65	581	296 15	133	254 55	6	10 20	57
6	20 75	643	1,038 45	418	561 50	414	245 00	89	159 80	140	240 30	58
3	4 20	421	604 40	374	419 55	356	179 60	58	149 80	1	2 15	59
.....	.....	455	692 90	401	479 10	364	181 15	70	119 45	1	1 40	60
.....	.....	89	136 15	85	95 25	94	47 00	13	26 70	2	4 30	61
6	10 25	983	155 15	901	963 00	898	457 85	294	249 35	6	13 30	
.....	.....	716	1,180 45	405	491 65	438	231 50	86	178 85	3	6 70	62
.....	.....	333	514 20	268	321 50	245	139 15	42	103 10	.....	.....	63
				27,603	32,126 50							

FEES AND EMOLUMENTS received by the Registrars of

Schedule A.—*Continued.*

No. of registration division.	Name of Registrar.	Abstracts.		Searches.		Mechanics' liens.		All other instruments	
		18	19	20	21	22	23	24	25
		No. registered.	Fees for same.	No. registered.	Fees for same.	No. registered.	Fees for same.	No. registered.	Fees for same.
1	Robert A. Lyon	189	$263 00	513	$315 95	19	$5 75	177	$239 31
2	W. B. Wood	115	161 40	1,389	357 75	3	75	202	252 20
3	Donald Sinclair	1,308	806 60	809	202 95	11	2 75	283	370 40
4	Patrick J. Coffey	522	528 65	864	368 95	16	4 00	181	264 00
5	William McKim	376	433 35	539	272 65	7	2 45	155	202 90
6	Thomas McDonald	70	131 39	302	172 55			58	91 50
7	George C. Ward	125	53 35	282	132 75	17	7 05	109	159 70
8	J. W. McLaughlin	95	113 94	259	102 05	2	50	99	138 10
9	James H. Coyne	115	215 30	1,828	473 60	8	2 00	259	324 60
10	J. W. Askin	222	348 10	2,235	898 20	40	12 15	343	486 40
11	J. D. Thompson	125	123 70	816	204 00	1	25	111	212 70
12	John Simpson	151	193 75	366	101 15			114	131 80
13	Patrick McCrea	97	108 50	403	109 90	1	25	82	117 75
14	Robert McKnight	532	479 25	974	267 15	14	3 50	256	332 40
15	Thomas Lauder	485	363 31	428	116 80	2	3 52	197	460 90
16	J. Baxter	238	168 38	357	325 73	8	3 00	94	250 45
17	E. C. Young	46	61 95	54	15 60			21	24 70
18	D. Robertson	190	93 00	543	284 70	1	25	53	160 50
19	H. Wright Day	502	628 40	1,383	373 55	3	2 05	287	396 95
20	James D. Cannel	1,108	869 25	1,065	370 45	10	2 50	405	543 75
21	James P. Gildersleeve	25	33 55	410	206 66	27	9 20	106	145 70
22	P. D. McKellar	397	472 95	1,282	546 95	35	9 05	487	747 55
23	A. McLean	504	284 20	1,985	785 80	8	2 00	337	490 55
24	John Menzies	71	75 55	85	55 40			36	35 10
25	James Armour	152	89 50	626	209 75	2	60	104	131 70
26	W. H. Cole	190	229 00	1,062	272 30	9	2 25	153	195 40
27	S. Gibson	85	159 70	393	130 70	4	1 00	79	100 65
28	J. G. Currie	525	544 20	706	267 50	9	2 75	156	201 08
29	W. C. L. Gill	83	154 45	1,071	448 15	37	8 30	152	172 55
30	D. R. Springer	52	48 15	222	63 00	2	75	32	51 55
31	John Waters	134	186 25	1,162	463 20	5	1 25	194	256 60
32	S. Blackburn	181	219 95	479	211 55	3	75	103	130 45
33	J. E. Lount	245	247 60	1,014	265 35	9	4 50	113	173 10
34	A. G. Browning	150	133 05	257	74 90	4	1 00	64	66 95
35	A. J. Donly	170	240 45	1,346	345 95	2	50	208	278 90
36	A. E Mallory	337	426 81	260	124 25	2	50	103	160 50
37	F. W. Field	199	309 63	370	108 41	2	50	87	134 65
38	George W. Drydcn	315	439 40	721	264 70	22	6 00	220	313 75
39	Alex. Burritt	893	727 40	1,405	357 00	56	14 75	261	536 75
40	George R. Pattullo	406	473 50	1,417	383 35	16	4 70	346	434 35
41	Thomas Kennedy	232	233 55	920	252 05	3	85	124	162 10
42	Kenneth Chisholm	115	156 45	297	177 75	2	50	167	226 95
43	David D. Hay	299	283 90	740	200 30	6	1 50	186	259 05
44	Patrick Whelihan	186	197 90	293	82 30			146	203 65
45	Bernard Morrow	283	432 10	1,138	530 35	1	50	286	333 40
46	John Higginson	153	171 45	401	146 30			101	161 65
47	Walter Mackenzie	86	92 85	411	138 80			108	120 30
48	F. J. ApJohn	200	119 65	21	7 75	23	12 30	56	68 40
49	W. C. Irving	418	194 55	1,094	412 05	18	6 20	174	223 55
50	Alex. Robillard	244	221 50	41	10 25			70	80 90
51	Samuel Lount		1,132 45	1,029	470 80	15	3 75	535	738 13
52	John Calvin Alguire	79	65 65	739	264 70	2	50	165	140 25
53	J. Munro	303	365 00	280	219 90	25	6 25	64	91 05
54	Peter Ryan	358	691 15	3,439	1,147 55	53	15 55	776	839 15
55	Charles Lindsey	239	335 10	3,829	1,423 75	45	13 50	685	901 70
56	C. D. Barr	255	373 20	1,192	345 10	3	75	180	244 25
57	Alex. W. Merner, acting	226	265 95	957	400 55	6	1 50	268	303 30
58	James E. Morin	334	774 55	894	393 70	20	14 70	220	323 10
59	John Anderson	687	615 50	380	109 40	3	75	180	225 15
60	H. Higginbotham	197	192 30	790	237 05	1	25	195	225 95
61	G. Aurey, to Feb. 1st R.K. Hope, to Dec. 31st	63 677	85 25 1,091 95	195 1,897	69 35 877 00	5 69	1 35 19 35	35 463	41 15 549 75
62	James Massie	154	247 05	1,876	596 85	14	4 00	355	486 35
63	James J. Pearson	226	199 10	463	144 25	1	25	113	155 80

Deeds for the Province of Ontario, etc.—*Continued.*

Schedule A.—*Continued.*

26 Received for work done for municipalities.	27 From other sources not enumerated.	28 Fees earned and not received.	29 Gross amount of fees earned for the year 1898.	30 Gross amount for 1897.	30a Gross amount for 1896.	31 Deputy registrars for services.	31a Other charges in connection with office.	No. of reg. division.
.....	$116 20	....	*$2,059 25	*$2,059 75	*$2,085 29	$360 00	$369 12	1
.....	15 05	149 16	2,655 85	2,486 72	2,706 58	624 00	216 25	2
....	210 20	585 12	5,197 75	5,001 85	5,432 35	825 00	1,001 90	3
.....	107 75	113 00	4,009 30	3,786 75	3,933 20	750 00	1,044 03	4
80	102 95	.....	2,397 55	2,728 10	3,128 55	700 00	202 00	5
.....	48 10	.....	1,633 24	1,318 51	1,218 25	600 00	12 50	6
.....	47 55	31 45	1,094 45	879 40	1,025 45	325 50	.....	7
.....	19 95	95 09	967 89	862 52	1,061 15	420 00	75 00	8
194 57	123 40	15 85	4,020 60	3,923 35	4,129 20	543 45	455 24	9
.....	71 25	.....	5,621 35	5,984 20	6,020 60	892 00	697 30	10
.....	.....	.....	2,005 45	1,944 95	1,800 80	445 00	93 30	11
.....	75 00	148 66	1,436 00	1,505 29	1,360 85	.....	288 00	12
.....	8 50	....	1,666 00	2,106 55	1,656 25	700 00	110 00	13
....	71 95	264 07	3,217 95	3,313 05	3,462 25	600 00	297 60	14
... .	.....	470 00	3,112 78	2,866 75	3,148 30	600 00	420 20	15
.....	.....	209 54	2,160 92	1,736 45	2,180 55	750 05	66 50	16
5 00	12 65	.....	323 00	285 29	409 60	70 00	.....	17
.....	.....	49 05	1,555 40	1,570 90	1,745 58	700 00	141 48	18
.....	181 25	315 60	4,278 30	4,712 30	5,225 35	1,000 00	466 84	19
....	.....	375 96	5,341 25	5,888 00	5,244 65	909 00	942 29	20
.....	.....	.....	1,143 42	1,260 98	1,333 74	500 00	74 90	21
....	73 75	516 80	5,647 05	5,289 35	5,287 40	1,000 00	1,260 12	22
.....	41 40	230 24	5,731 33	5,746 01	6,101 35	1,460 00	966 60	23
.....	... .	.....	802 70	887 35	867 10	100 00	6 00	24
....	.....	.....	1,888 96	1,828 50	1,755 15	400 00	....	25
.....	115 42	136 78	2,838 23	3,065 00	3,316 25	1,196 00	55 96	26
.....	25 65	....	1,515 60	1,932 55	1,901 75	300 00	125 00	27
....	47 80	228 89	2,984 04	3,001 00	3,355 66	262 00	286 73	28
.....	80 50	.....	2,635 90	2,379 70	2,643 80	400 00	325 43	29
....	620 30	.....	500 25	573 80	616 20	573 80	20 51	30
869 94	41 55	....	2,992 41	3,069 30	3,131 34	416 00	444 75	31
10 00	.....	120 00	1,769 40	1,658 00	1,804 85	520 00	25 00	32
... .	63 65	104 50	1,875 85	1,801 55	2,073 20	500 00	96 48	33
.....	....	.....	663 90	713 80	906 30	364 00	....	34
.....	53 35	3 85	2,948 75	2,961 30	3,275 75	600 00	416 00	35
....	50 55	208 02	2,044 82	1,994 95	2,285 75	350 00	75 78	36
....	31 00	438 82	1,276 04	1,127 11	1,035 10	420 00	13 85	37
.....	102 30	..... .	3,083 70	3,128 85	3,088 30	520 00	503 80	38
120 85	437 25	.....	4,601 65	4,503 00	4,326 75	1,080 00	186 39	39
.....	77 75	.....	4,160 10	4,393 50	5,023 00	800 80	725 58	40
....	83 30	262 10	1,380 40	1,614 70	1,595 00	306 00	.....	41
.....	42 60	20 00	1,321 79	1,667 35	2 291 25	600 00	71 00	42
.....	38 90	260 94	2,529 70	2,538 30	2,597 05	720 00	458 28	43
.....	38 15	.....	1,455 15	1,434 10	1,458 70	600 00	195 20	44
.. ..	18 50	30 00	3,110 50	2,769 70	2,920 25	840 00	320 00	45
.....	121 10	150 92	2,140 85	2,180 75	1,717 45	460 00	50 00	46
.....	40 70	....	1,374 25	1,366 66	1,634 58	700 00	.....	47
.....	salary 700 00	.....	535 15	1,424 70	1,151 60	.....	115 00	48
. .....	83 10	.....	3,296 58	3,243 24	3,529 51	.....	839 32	49
.....	113 10	120 85	1,680 00	1,737 38	1,562 10	400 00	143 00	50
.....	30 00	752 63	6,687 05	3,812 13	7,049 24	833 33	1,811 41	51
....	45 00	119 25	1,796 80	1,958 85	1,817 25	151 75	59 16	52
.....	.....	.....	1,413 60	1,004 50	1,015 00	180 65	27 63	53
.....	.....	.....	5,751 80	5,222 55	5,641 00	817 37	1,646 15	54
165 00	.....	....	5,507 20	4,600 10	5,200 15	1,198 65	1,040 60	55
155 18	118 95	11 67	2,806 10	3,237 20	3,405 70	500 00	503 35	56
.....	.....	548 05	3,866 25	3,647 35	3,482 75	....	430 49	57
200 00	147 65	.....	3,919 50	3,639 20	4,504 45	813 40	187 51	58
.....	.....	285 75	2,310 50	2,611 25	2,495 60	400 00	850 00	59
....	111 75	.. . .	2,241 30	2,570 50	2 601 40	520 00	206 75	60
.....	.....	143 12	507 50	.....	....	.....	139 85	61
44 95	18 75	514 09	5,805 70	6,303 15	6,872 03	960 00	1,248 00	
205 00	33 45	..... .	3,456 85	3.452 42	4,221 10	832 00	255 05	6
300 00	....	....	1,877 35	1,953 85	1,885 10	800 00	5 25	63
			$172.911 40	$174.035 61	$182,551 80			

* Salary $800.00.

FEES AND EMOLUMENTS received by the Registrars of Deeds

Schedule A.—*Continued.*

No. of reg. division.	Name of Registrar.	Surplus of gross income to municipality under secs. 119 & 120 Registry Act, 1893, as amended by 59 Vic. c. 29, s. 13.				Surplus of net income to municipality under sec. 121 Registry Act, 1893, as amended by 59 Vic. c. 29, s. 13.			
		32 Amount for 1898.	32a When paid.	33 Amount for 1897.	33a Amount for 1896.	34 Amount for 1898.	35 When paid.	36 Amount for 1897.	36a Amount for 1896
1	Robert A. Lyon	$62 62		$84 60			Jan. 12th, 1899		$91 80
2	W. B. Wood	15 60	Jan. 12th, 1899		$20 65	$30 00	Jan. 12th, 1899	$17 57	36 19
3	Donald Sinclair	448 88	Jan. 6th, 1899	750 93	966 18	156 59	Jan. 6th, 1899	178 97	378 73
4	Patrick J. Coffey	268 89	Jan. 20th, 1899	236 02	279 96	40 58	Jan. 20th, 1899	149 84	110 67
5	William McKim			22 81	75 71			32 78	81 97
6	Thomas McDonald								
7	George C. Ward								
8	J. W. McLaughlin								
9	James H. Coyne	304 32	Jan. 14th, 1899	277 67	350 30	237 41	Jan. 14th, 1899	254 15	278 27
10	J. W. Askin	1,060 67	Jan. 19th, 1899	1,242 10	1,260 30	291 41	Jan. 19th, 1899	389 28	432 62
11	J. D. Thompson								
12	John Simpson								
13	Patrick McCrea								
14	Robert McKnight	93 59	Jan. 10th, 1899	112 38	142 45	95 25	Jan. 10th, 1899	97 68	109 23
15	Thomas Lauder	149 70	Jan. 6th, 1899	72 10	402 44		Jan. 6th, 1899		
16	J. Baxter								
17	E. C. Young								
18	D. Robertson								
19	H. Wright Day	411 32	Jan. 13th, 1899	606 15	1,138 59	48 98	Jan. 13th, 1899	195 50	275 91
20	James D. Cannell	920 62	Jan. 24th, 1899	11 94	406 75	170 79	Jan. 24th, 1899	264 30	165 61
21	James P. Gildersleeve								
22	P. D. McKellar	1,073 52	Jan. 16th, 1899	894 37	893 70	112 68		91 68	88 79
23	A. McLean	1,115 66½	Jan. 9th, 1899	1,123 01	1,300 67	87 81	Jan. 9th, 1899	124 01	117 43
24	John Menzies								
25	James Armour								
26	W. H. Cole	33 82		63 00	113 25	5 24		22 60	29 05
27	S. Gibson								
28	J. G. Currie	48 40	Jan. 12th, 1899	50 20	121 12	106 10	Jan. 12th, 1899	186 73	67 20
29	W. C. L. Gill	13 59			14 58			16 43	38 91
30	D. R. Springer								
31	John Waters	49 20	Jan. 6th, 1899	63 80	76 20	58 24	Jan. 6th 1899	79 71	95 76
32	S. Blackburn								
33	J. E. Lount								
34	A. G. Browning								
35	A. J. Donly	44 87	Jan. 6th, 1899	46 13	105 15	38 78	Jan. 6th, 1899	61 40	47 06
36	A. E. Mallory					11 90	Jan. 14th, 1899	7 59	35 88
37	F. W. Field								
38	George W. Dryden	66 74	Jan. 14th, 1899	23 13	43 67	49 32	Jan. 14th, 1899	9 53	84 61
39	Alex. Burritt	550 50		501 50	430 70	235 20		233 73	200 42
40	George R Pattullo	354 04		457 40	761 50	70 46		83 99	93 53
41	Thomas Kennedy								
42	Kenneth Chisholm								
43	David D Hay	2 97		3 83	9 70				
44	Patrick Whelihan								
45	Bernard Morrow	72 10	Jan. 14th, 1899	26 95	42 02	30 84	Jan. 14th, 1899	1 95	26 48
46	John Higginson					13 08	Jan. 4th, 1899	23 57	
47	Walter Mackenzie								
48	F. J. ApJohn								
49	W. C. Irving	109 32	Jan. 14th, 1899	157 28	203 70	141 46	Jan. 14th, 1899		
50	Alex. Robillard								
51	Samuel Lount	1,593 52	Jan. 10th, 1899	1,616 06	1,774 62	139 75	Jan. 10th, 1899	107 37	129 70
52	John C. Alguire					8 59	Mar. 11th, 1899		5 13
53	J. Munro								
54	Peter Ryan					414 14	Jan. 16th, 1899	236 67	
55	Charles Lindsey					433 97		143 86	205 89
56	C. D. Barr	30 61	Jan. 14th, 1899	97 44	131 14	27 21	Jan. 14th, 1899	57 74	91 98
57	A. W. Mercer, acting	259 88	Jan. 3rd, 1899	194 20	146 55	387 94	Jan. 3rd, 1899	165 97	40 30
58	James E. Morin	275 85	Jan. 13th, 1899	191 76	502 22	192 88	Jan. 13th, 1899	124 58	196 38
59	John Anderson			11 12				4 68	5 56
60	H. Higginbotham					1 45	Jan. 11th, 1899	31 69	42 19
61	(G. Aurey, to Feb. 1 (R.J. Hope, to Dec.31	109 93 1,207 01	July 12th, 1898 Jan. 14th, 1899	312 11 654 00	428 78	30 51 154 70	July 12th, 1898 Jan. 14th, 1899	59 82	
62	Jas Massie	141 30		140 40		95 60		26 60	16 37
63	James J. Pearson								

for the Province of Ontario, etc.—*Concluded.*

Schedule A.—*Concluded.*			Schedule B.							
Net amount received by registrar.			Number and aggregate amount of mortgages registered.							
37 Amount for 1898.	37a Amount for 1897.	37b Amount for 1896.	38 For nominal considera'n or amount not specified. Class 1	38 For $1,000 or under. Cl's 2	38 Over $1,000 and not exc'd'ng $2,000. Cl's 3	38 Over $2000 & not exc'd'ing $5,000. Cl's 4	38 Over $5,000. Cl's 5	39 Total number.	40 Aggregate amon	No. of registration division.
$1,927 87	$2,004 05	$2,117 28	3	207	12	5	1	228	$111,970 98	1
1,800 00	1,658 15	1,825 74	8	264	88	72	11	443	562,071 00	2
2,365 38	2,417 59	2,778 72	29	588	206	111	8	932	947,173 89	3
1,905 80	2,349 39	2,200 95	2	452	116	61	10	641	671,980 76	4
1,495 55	1,795 01	2,077 87	22	220	111	39	1	393	404,198 80	5
1,020 74	1,106 01	711 15	.....	161	55	26	4	246	259,996 64	6
769 45	566 90	625 45	1	86	33	17	4	141	166,787 53	7
472 89	*442 52	403 25	.....	77	32	25	5	139	210,327 75	8
2,553 98	2,593 04	2,649 32	10	449	162	101	19	741	929,152 62	9
2,679 97	2,789 28	2,832 63	13	640	164	58	14	889	948,659 43	10
1,467 15	1,483 50	1,369 89	.....	232	56	36	9	333	3,710,571 18	11
1,148 00	1,172 79	989 55	.....	183	47	15	1	246	1,990 92	12
796 00	1,294 00	846 25	.....	170	42	27	.....	239	218,133 69	13
2,131 51	2,130 78	2,186 94	67	365	114	30	1	517	450,236 04	14
1,962 80	1,890 62	2,059 12	23	306	89	39	3	460	414,236 69	15
1,344 37	1,076 62	1,150 55	.....	86	96	29	1	212	2,036 77	16
253 00	205 29	334 60	1	51	2	.....	.....	54	230 05	17
713 92	695 59	846 00	4	134	48	47	13	246	342,480 06	18
2,351 16	2,456 15	2,643 78	2	414	121	36	2	575	454,161 20	19
2,398 55	2,616 75	3,393 74	22	509	251	201	18	1,001	1,332,173 66	20
568 53	628 75	688 57	6	127	28	21	9	191	299,260 00	21
2,200 73	2,116 74	2,105 19	15	688	194	122	19	1,038	1,177,935 37	22
2,101 26	2,246 07	2,219 74	13	680	232	122	7	1,054	1,086,677 10	23
696 70	782 35	749 10	36	81	17	13	2	149	111,152 00	24
1,488 96	1,363 50	1,155 15	11	240	72	36	5	364	377,668 37	25
1,547 21	1,703 40	1,761 49	7	313	103	56	4	483	519,969 60	26
1,090 60	1,477 55	1,466 41	.....	209	52	29	4	294	2,884 45	27
2,280 81	1,892 19	2,008 60	8	327	80	57	7	479	517,040 00	28
1,854 84	1,643 21	1,889 91	1	376	100	58	19	544	686,681 07	29
1,079 74	1,148 85	1,174 14	3	72	1	2	.....	78	29,983 52	30
2,024 22	2,069 18	2,133 08	2	287	130	113	9	541	752,317 16	31
1,224 40	1,113 00	1,259 85	2	149	62	39	3	255	295,097 39	32
1,279 37	1,191 40	1,458 39	7	225	8	5	1	246	107,444 14	33
299 99	277 40	506 30	1	77	11	4	2	95	124,137 66	34
1,887 88	1,995 60	1,909 79	2	377	74	39	3	495	409,312 00	35
1,607 14	1,560 79	1,822 92	2	207	61	19	1	290	244,478 88	36
842 18	694 76	604 15	.....	73	47	26	2	148	202,928 85	37
1,943 84	948 78	2,405 65	3	268	84	76	6	437	554,229 88	38
2,548 91	2,545 38	2,467 66	4	497	180	120	58	859	1,824,932 00	39
2,209 22	2,340 98	2,452 33	9	384	136	121	25	675	995,072 00	40
812 30	1,300 35	1,108 60	3	133	11	2	2	151	98,499 07	41
650 79	797 35	1,297 95	6	125	61	41	6	239	709,836 90	42
1,351 42	1,355 30	1,416 35	3	234	121	108	6	472	665,254 86	43
695 95	651 10	717 25	1	103	62	61	5	232	266,214 95	44
1,777 56	1,517 58	1,738 40	1	316	76	39	17	449	1,543,323 26	45
1,616 77	1,712 18	1,281 45	.....	280	62	23	1	366	292,628 92	46
666 16	666 66	889 58	.....	193	29	28	8	258	251,281 00	47
1,120 15	454 70	224 60	58	22	5	.....	2	87	98,111 00	48
2,315 80	2,283 88	2,679 51	23	466	97	27	4	617	499,296 84	49
1,137 00	1,310 88	1,532 10	.....	221	29	7	1	258	172,780 50	50
2,309 04	2,178 49	2,238 81	12	729	201	94	8	1,044	1,037,453 19	51
1,585 89	1,408 90	1,546 12	1	244	37	10	2	294	209,079 94	52
1,205 32	873 40	808 90	3	103	15	10	4	135	152,876 27	53
2,844 14	2,552 26	2,368 19	1	481	131	117	60	796	1,955,466 00	54
2,833 98	2,325 44	2,274 42	8	375	161	99	31	674	1,167,036 00	55
1,744 93	1,968 10	2,047 98	12	303	97	48	3	463	453,438 04	56
2,787 94	2,387 27	1,862 88	6	397	121	91	23	638	940,675 62	57
2,649 86	2,248 32	2,079 44	2	317	57	35	7	418	445,227 00	58
1,460 50	1,546 75	1,555 60	13	229	72	55	5	494	506,218 00	59
1,513 10	1,785 30	1,788 40	11	189	111	86	4	401	545,771 30	60
227 24	{ 3,058 29	3,425 43	{ 2	45	13	6	19	85	140,233 00	} 61
2,235 99			21	557	171	122	30	901	1,243,084 00	
2,132 00	1,739 64	2,097 62	.....	200	96	74	35	405	718,329 00	62
1,070 10	1,138 10	1,078 85	6	173	47	38	4	268	293,856 95	63
$101,090 75	$99,744 15	$104,338 63						27,281	$36,521,137 76	

* Less $75.00 not entered in Registrar's return for 1897.

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(No. 76).

Return to an Order of the House of the eighth day of March, 1899, for a Return shewing the number of Police Magistrates in Ontario, their names, residences, dates of appointments and territory over which they have jurisdiction, and shewing as well their respective salaries. Presented to the Legislature, 27th March, 1899. Mr. *Fox. Not printed.*

(No. 77).

Return to an Order of the House of the ninth day of March, 1899, for a Return shewing the number of cases entered in the County Court of the County of Ontario for the past five years: the amount of money collected through the Sheriff during the same period and shewing as well the number of cases entered in the Division Court of the same County during the past five years, and the amount of money collected in the Court during the same period. Also, shewing the number of cases that went to trial in each Court respectively. Together with a statement of the number of cases heard or tried in the County Judges Criminal Court, the number of days in which the County Judge was engaged in revising voter's lists, in attending board of audit criminal justice accounts, the selection of jurors, and in the performance of other duties under the Overholding Tenants Act and in the performance of other duties imposed upon him by law during the said period. Presented to the Legislature, 27th March, 1899. Mr. *Hoyle* and *Attorney-General*. *Not printed.*

RETURN

Correspondence, and general information in respect of the applications for grants of public money in aid of the construction of certain portions of the Central Counties Railway, the Central Ontario Railway, the Haliburton, Whitney and Mattawa Railway, the Irondale, Bancroft and Ottawa Railway, the James' Bay Railway, the Ontario, Belmont and Northern Railway, the Ontario and Rainy River Railway, the Ontario, Hudson's Bay and Western Railway.

Presented by Command,

E. J. DAVIS,

Provincial Secretary.

Provincial Secretary's Department,
28th March, 1899.

RE THE CENTRAL COUNTIES RAILWAY.

To His Honor the Lieutenant Governor of Ontario:

The Petition of the Central Counties Railway Company, humbly sheweth:—

That the said Railway Company have built and completed a considerable portion of their system at great expense, in the years 1892 to 1896, being the lines of railway known as the Hawkesbury Section, and the Rockland Section of the Central Counties system, the length of the first named section being twenty-one miles, and the Rockland Section seventeen miles.

The Hakesbury Section has received from your Government a subsidy of $2,000.00 per mile, on seven miles only, and the Rockland Section received the same amount per mile on ten miles only.

Notwithstanding these grants, the company is still indebted to its contractors and others in a large sum.

That the building of said railways was a great service to the Counties of Glengarry, Prescott, and Russell, in supplying railway communication to a portion of the country which had hitherto been entirely without railway accommodation, and which had not previously received any public grant.

Your petitioners pray that a grant, of at least $2,000 per mile, for the fourteen miles of the Hawkesbury branch, and seven on the Rockland branch, be granted to assist in defraying the said indebtedness, and the full usual subsidy upon the eight miles to connect the Rockland Section with the Ottawa and New York Line, at or near the Village of Russell, in the County of Russell, now under construction.

And your petitioners will ever pray.

R. H. DALE,
Secretary.

W. R. HIBBARD,
Manager,
Central Counties Railway.

Ottawa, January, 1898.

To the Honourable, ARTHUR S. HARDY,
Attorney-General and Premier of the Province of Ontario:

The memorial of the Central Counties Railway Company humbly sheweth:

1. This company was first incorporated under the name of "The Prescott County Railway Company" in 1887, and the name of the company was changed to that of "The Central Counties Railway Company" in 1889.

2. The principal object of the company was to open up railway communication for the Counties of Prescott and Russell by branches connecting with the Canada Atlantic Railway, one to be constructed from Hawkesbury, via Vankleek Hill, to Glen Robertson, in the County of Glengarry, and the other from Rockland, in the County of Russell, to the Village of South Indian, in the same county.

3. Relying upon the assistance of the Government of Ontario to grant the usual subsidies to these sections of a railway opening up a section of the Province which had not received railway aid, the company constructed and completed the sections above defined, the section from Hawkesbury to Glen Robertson being twenty-one miles in length, and that from Rockland to South Indian seventeen miles.

4. The company received a subsidy for ten miles of the road from South Indian to Clarance Creek, and for seven miles from Hawkesbury to Vankleek Hill, at the rate of $2,000 per mile.

5. The limit bonding powers of the company have been exhausted, and your company are still in debt for necessary cost of construction.

6. Your company feel that they are justly entitled to the favorable consideration of their claim to be paid a subsidy for the twenty-one miles of constructed railway for which they have not received any subsidy.

Wherefore the company humbly pray that a subsidy may be granted to them for the portions of railway herein set forth.

A. MacLean,
President.

W. R. Hibbard,
Manager.

Dated 14th March, A.D. 1899

The Honorable Arthur S. Hardy,

Premier and Attorney-General of the Dominion of Canada.

The memorial of the Central Counties Railway Company sheweth:—

1. This Company was incorporated as "The Prescott County Railway Company" in 1887, and its name was changed to "The Central Counties Railway Company" in 1889.

2. Under its charter and relying upon the assistance of the Government of Ontario to grant the usual subsidies to a railway opening up a section in the Province which had not received railway aid the Company constructed and completed the following sections:—

(*a*) Hawkesbury, on the Ottawa River, in the Township of Prescott, to Glen Robertson, a station on the Canada Atlantic Railway in the County of Glengarry, a distance of 21 miles.

(*b*) Rockland, on the Ottawa River, in the Township of Russell, to South Indian, a station on the Canada Atlantic Railway in the same county, a distance of 17 miles.

3. Under the Railway Aid Act, 1896, the Company received a subsidy for 10 miles of its Rockland Branch, extending from South Indian to Clarence Creek, and also a subsidy for seven miles of its Hawkesbury Branch, extending from Hawkesbury to Van-Kleek Hill.

4. The Company now submits that the 17 miles of the Hawkesbury Branch between VanKleek Hill and Glen Robertson and the seven miles of the Rockland Branch between Rockland and Clarence Creek should be aided by subsidy at the rate of $2,000 a mile.

5. The limited bonding powers of the Company had been exhausted and your Company is still in debt for expenses incurred in construction.

6. The company feels it is justly entitled to the favorable consideration of its claim to be paid a subsidy for the twenty-one miles of the two branches in respect of which no subsidy has heretofore been granted.

7. The Statute of 1896, as amended by the Statute of 1897, chapter 14, section 74, empowered the Lieutenant-Governor to appoint a person to decide finally what sums were to be paid to creditors in respect of wages, furnishing supplies in and for the building of the railway, and purchase of rights of way, and the Company suggests that out of the subsidy granted creditors' claims be paid with the approval of and when certified to by Mr. Shanly, C.E.

Wherefore the Company humbly prays that a subsidy may be granted to it for the twenty-one miles of its railway heretofore unaided and above set forth.

WALTER BARWICK,
For the Central Counties Railway.

Dated the 23rd day of March, A.D. 1899.

RE CENTRAL ONTARIO RAILWAY.

BANCROFT, North Hastings, February, 1899.

To the Honourable the House of Assembly of the Province of Ontario in Parliament Assembled :—

The petition of the undersigned residents of the village of Bancroft and immediate neighborhood humbly sheweth :—

That your petitioners are informed that the Central Ontario Railway is desirous to extend its line northerly from Coe Hill to connect with the Irondale, Bancroft & Ottawa Railway, and with the prospected Pembroke Southern Line at or near this village.

And your petitioners believe that the Central Ontario Railway is entitled to, and should receive from the province some measure of assistance that has heretofore been granted to Colonization Railways, in consideration that it has always been of great benefit to this district and would be still of greater benefit, we believe, if continued north, from the greatly improved facilities which would follow from communication with the connection before mentioned which would place us and the rest of North Hastings in connection with Belleville, our capital city, and the seaboard.

We further beg, to draw your attention to the fact that, in order the fullest amount of benefit should accrue to the people of this district from the proposed railway extension, the junction of the aforesaid railway should be at or near this village and we offer the following reasons in support of this contention :—

The village of Bancroft is situated at the point where the Monck and Mississippi Colonization Roads extend east and west, connecting at the Hastings Road, the great highway running north and south. The roller flour mills, with business demanding its full capacity of sixty barrels per day, saw, shingle and woollen mills already established do not utilize half the water power immediately available, and in case of need an almost unlimited amount of power by electricity can be had from the falls and rapids situated both above and below the village.

The business of the district being already centered here. A very large amount of capital, which could not be lost without great injury to the district, has been invested, there being now twenty-seven stores with other places of business, exclusive of, boarding houses millinery and dressmaking establishments.

The amount of minerals, with hard wood and pulp wood, is prodigious, with at present no means of transport. The minerals consist of iron ore, corundum, feldspar, mica, etc.

We trust that in making any grant towards the construction of the said railway your Honourable House will take these facts into consideration and make it a condition of such grant, that the line shall come within a reasonable distance say one mile from the Court House at Bancroft.

And your petitioners as in duty bound will ever pray.

J. Cleak and others of Bancroft.

To His Honour the Lieutenant-Governor in Council:—

The petition of the Central Ontario Railway humbly sheweth:—

1. That your petitioners have constructed, and have now in active operation one hundred and four miles of railway between the town of Picton, in the County of Prince Edward, and the village of Coe Hill, in the County of Hastings, at a cost of nearly two millions of dollars, and have surveyed and desire to build an extension of said railway from some convenient point at or near its present northern terminus (Coe Hill) to the village of Bancroft, in the said County of Hastings, and thence on northerly to an intersection with the Ottawa Arnprior & Parry Sound Railway, a total distance of about sixty miles.

2. The present line taps and the proposed extension will traverse a region rich in iron and other minerals, among which are the extensive deposits of corundum lately attracting the attention of the whole Dominion.

3. The extension of this railway will also open up some 2,000 square miles of well timbered land, a goodly portion of which is well adapted for agricultural and dairy pursuits.

4. Some of the municipalities through which the extension of this road will run have signified their willingness to grant a bonus in aid of such extension, but inasmuch as the building thereof will be attended with a very large outlay of capital, your petitioners, who have thus far built and equipped their present line between Trenton and Coe Hill, a distance of seventy-two miles, unaided by municipal or government help, feel justified in asking a subsidy from the Provincial Government to the extent of $3,200 a mile for said extension.

5. The building of this proposed extension will introduce a large amount of foreign capital which being expended as aforesaid will add greatly to the demand for labor and material and thus assist and emphasize the present marked prosperity of the country.

Therefore, your petitioners humbly pray that your Honor in Council will be pleased to approve of said enterprise and grant the subsidy asked for, and your petitioners as in duty bound will ever pray.

Dated at Trenton, this seventeenth day of December, 1898.

The Central Ontario Railway,

By Stevenson Burke,
President.

Geo. Collins,
Secretary.

RE HALIBURTON, WHITNEY AND MATTAWA RAILWAY.

TORONTO. 16th March, 1899.

The Hon. A. S. HARDY,
Premier, Province of Ontario, Toronto :—

DEAR SIR,—Referring to the remarks that fell from you yesterday (when our deputation had the honor of presenting our case to you) with regard to this railway deflecting their line to the eastward so as to go outside the Algonquin Park, I have submitted the matter to our engineer and he informs me that if, after reaching Whitney, we have to go completely outside the park, it will lengthen the distance between Whitney and Mattawa by about ten miles. If, however, you would permit us to cut across the southeasterly corner of the park, then run northerly outside the park, until we come to the northeasterly corner, and run through that until we get into the Township of Cameron, the distance would not be increased by more than five miles.

We are anxious to make the route as short and direct as possible, and you will readily understand that five miles is a considerable increase in a distance of sixty-five miles.

If you could still see your way to allow the road to run as at present proected, we would, of course, be better pleased, and would be perfectly willing to agree to any reasonable regulations for the prevention of fire, both during the construction of the railway and also afterwards when running.

In dealing with this question we are satisfied that your Government will give due consideration to the rights and requirements of the people north and south of the park who are anxious to reach these respective places by the shortest possible route.

As time did not allow me to set out sufficiently, at our meeting yesterday, the advantages that will accrue to the southern portion of this province, and also to the towns on the Ottawa river by the opening up of this district, I beg to enclose you herewith a short memo. which I have prepared covering this question, and which, if you have time, I would be glad if you would peruse.

I am informed by Mr. Brouse, who was with our deputation, that the Hon. Mr. Harcourt asked him some questions about the length of the proposed extension. I would therefore like to add to this letter that the length of the first section from Haliburton to Whitney is about thirty-five miles, and the remaining section from Whitney to Mattawa, if we are allowed to go direct through the park, would be sixty-five miles. If we have to keep completely outside the park, seventy-five miles, and if we are allowed to go through the southeast and northeast corners of the park, seventy miles.

If there is any further information you require I shall be pleased to send it to you.

Yours truly,

W. H. LOCKHART GORDON.

MEMORANDUM SHOWING THE ADVANTAGES THAT THIS ROAD WILL BE TO THE CITY OF TORONTO.

This extension will open up a vast territory at present not tributary to Toronto, on which there are large quantities of valuable timber, consisting of

pine, spruce, elm, basswood, beech and maple. The white pine is among the finest the government has ever owned.

The men operating in this timber at the present time are among our leading lumbermen and consist of such firms as The St. Anthony Lumber Co., The Hawkesbury Lumber Co., R. H. Klock & Co., Messrs. Wm. Mackay, Alexander Barnet, Gilmour & Co., The Rathbun Co., Gillies Bros. & Co., W. C. Edwards, and McLachlin Bros. & Co.

The territory that this railway would open up between Haliburton and the Ottawa River, and make tributary to Toronto, is estimated at about 10,000 square miles. As soon as the Ottawa River is reached, it would make tributary to Toronto, on the other side of the river, an additional territory of about 15,000 square miles, so that by this extension a new district would be opened up, tributary to this city, of about 25,000 square miles.

It is said that the pine timber alone on this territory will average about one million feet b.m., to the square mile, and the spruce and other floatable woods fit for lumber, pulp, railway ties, telegraph poles, etc., about two million feet b.m. per square mile. If this is so this would make the enormous quantity of seventy-five billion feet b.m.. additional timber that would be brought within reach of Toronto.

To cut this timber, and manufacture it into lumber, pulp, ties, etc., an enormous amount of labor and lumber supplies will be required. These laborers have to be fed, clothed and provided for, and a fair proportion of the supplies necessary to carry on this enormous work would be drawn from Toronto, provided this extension was built.

At the present time most of these supplies are purchased in Montreal, Ottawa, and other points immediately tributary to this district.

The mayor of Mattawa informs us that from that point alone, the average quantity of goods shipped into the lumber camps on the Keppewa and Temiscamingue is equal in value to about $1,500,000 per annum. This is made up of flour, oats, pork, beef, groceries and sundry supplies. The total amount of freight received at Mattawa for business at these points, I am informed, was over 20,000 tons in the year 1896.

It is reasonable to suppose that a considerable portion of this business could be secured by Toronto merchants if this extension was built.

The distance to Mattawa from Toronto, over this extension, would be about 232 miles, whereas the distance from Mattawa to Montreal is 313, or eighty-five miles in favor of Toronto.

It is proposed to build the first section of the road to cross the Ottawa, Arnprior & Parry Sound Railway at Whitney, a distance of 35 miles from the present terminus of the Grand Trunk Railway at Haliburton.

A new route will thus be opened up to Pembroke and Ottawa. Pembroke would then be brought within 224 miles of Toronto, or 1 mile shorter than the present distance from Pembroke to Montreal.

The distance between Pembroke and Toronto at the present time is 304 miles, so that when this connection is built there would be a saving of 80 miles to Toronto to merchants who might wish to send goods to Pembroke, also a similar saving to the other towns and villages on the Ottawa River, many of which are now calling out for direct communication with Toronto and the west.

By intersecting the Ottawa, Arnprior & Parry Sound Railway, Toronto would also secure a considerable portion of the business of the large lumber mills now operating along the line of the Ottawa, Arnprior & Parry Sound Railway.

Among these might be mentioned The Gilmour mill at Cache Bay, The St. Anthony Lumber Co's. mill at Whitney, which cuts all the way from 40 to 60 million feet b.m. per year. Not only would Toronto be able to provide these mills with supplies, but a considerable amount of the lumber cut there would probably come to Toronto to be sold.

Some years ago the Government of the Province of Ontario passed an Act setting apart 10 miles on each side of an extension then proposed from Haliburton to Mattawa, for the purpose of forming a fund for the purpose of bonusing this route, on the ground that this country should be opened up and made tributary to the more settled portions of Ontario. We propose asking the Government to give us aid out of the fund so formed, and this was the object of our application on Wednesday.

W. H. Lockhart Gordon.

Toronto, 16th March, 1899,

RE IRONDALE, BANCROFT AND OTTAWA RAILWAY.

Irondale, Ont, January, 10th, 1898.

Hon. A. S. Hardy, Attorney-General :—

Dear Sir,—Referring to our application for further aid, you will see by the accompanying map what has already been done, and what we desire shall be done to provide for this year's operations.

The Ontario subsidy began at Irondale ten miles east of the initial point of our line, and has already been granted in several instalments to the extent of forty-five miles divided in sections as shown on the map as follows :—

1. Forty (40) miles from Irondale to a point in the Township of Herschell, of this, thirty-five of the subsidy has already been earned, five miles more will be completed ready for inspection in March next.

2. On five (5) from the point in Herschell to a point about half way across the Township of Dungannon, aid has been granted, but no work done yet.

3. The dotted line across part of Dungannon and all of Carlow, being a distance of between fifteen and twenty miles, enable us to reach a point where connection may be made with the Pembroke Southern.

4. Represents the best route from Pembroke Southern to our line.

Should you decide upon making a grant to our road at this session. I would suggest for your convenience that it should be made to apply as follows :—

" From a point on their line to which they have had already been subsidized *eastward* for a distance of miles without specially mentioning any connection."

If a grant of twenty miles is made, our Company will be prepared to close contracts for completing the twenty-five miles this year, this being done, the parties interested in the Pembroke Southern assure us of their readiness to join in some mutally satisfactory arrangement by which their line will be completed, thereby giving great benefit to the districts around Pembroke and the intervening sections in reaching Toronto, and doing business there, as it will be the best and shortest possible route between the two points.

Yours truly.

Chas. J. Pusey,

President.

New York, March 11th, 1899.

Dear Sir,—Referring to our application for aid on the forty-five miles to reach the Kingston and Pembroke railway, I wish to call your attention to some facts which were not put in with the application.

1st. The road has cost up to this time over $15,000 per mile. Towards this, the two Governments have granted $280,000, leaving an investment of nearly $500,000.

2nd. The line to the Kingston and Pembroke, exclusive of rolling stock, will cost about $12,000 per mile. We are assured that, with the usual Government aid, our bonds will be underwritten for a sufficient amount to cover this cost and put our company in first-class condition financially.

3rd. Inasmuch as our construction has been made only as aid was granted, by getting the amount now applied for, we will be enabled to complete to the Kingston and Pembroke Railway quickly, and, at the same time, have our projected furnace put in operation.

4th. The completion of this part of our railway will insure a distribution of money among the settlers of over $500,000, and the operation of the furnace will distribute in that section of country, in wages and for supplies, an amount equal to $200,000 each year, or, if the furnace is made large enough to insure a daily output of 100 tons per day, it will be the means of distributing over $400,000 yearly, without counting the benefit of other industries that this will promote.

Yours very truly,

Chas. J. Pusey.

Irondale, Ontario, January 4th, 1898

Hon A. S. Hardy, Attorney-General:

Dear Sir,—On behalf of the Irondale, Bancroft and Ottawa Railway Company, I beg to make application for further aid towards the extension of their railway eastward.

The route of the railway as built and proposed, is shown on the accompanying map. Of this forty-five miles are completed and in successful operation, five miles more are under construction and will be ready for operating by the first of March next.

The operations of the road so far have been of great service to the settlers, giving them a market for their forest and farm products and giving labor to every settler during construction. The company has already paid out over $400,000 locally in its operations.

The company has been unable to give the settlers all the advantages contemplated, for the following reasons:—

First.—The increased consumption of gas and coal has reduced the market value of cordwood to such an extent that it is impossible for the railway companies to name a freight rate that would enable merchants to pay a price for cordwood that would be profitable to the settlers in getting it out.

Second.—On hardwood lumber the long haul to market makes even the lowest possible rate a hindrance to parties doing business.

Third.—A large amount of cheese is made at points on our line. This finds its best market in Montreal for export. On account of the long haul, the rates are so low that there is no chance for our company to encourage the business.

Fourth.—In the mineral development we are limited to the markets for iron ore at Hamilton, Ont., and Pittsburg, or Cleveland, as distributing points in the United States. The latter market is out of the question, as the low price of Lake Superior ores makes it impossible for ore to be shipped there. The condition of the country through which the line is already built and proposed to run, is rich in natural resources, but from lack of railways and roads the development has been slow. Where good roads have been made the progress has been satisfactory. For instance along what is known as the Hastings road in the county of Hastings, the section is fairly developed. The country tributary to our proposed extension is as good, and some portions better than the North Hastings district.

By aiding our company in securing an eastern connection, we can overcome all the difficulties above mentioned, and give the settlers the following advantages :—

First.—To enable the settlers to have a paying market for the wood which has to be burnt now in clearing, our company has arranged to provide the necessary capital to complete and operate a charcoal furnace, provided the townships interested will vote a bonus for a portion of the whole amount required. This being done, a market is assured for about 40,000 cords of word yearly. The large number of men necessary to carry on the furnace, making charcoal and mining the iron ore and limestone, will create a market for all the farm produce that will be raised. The clearing of the land will be done at a profit and permanent settlement of it assured.

Second.—The rate on hardwood lumber from Bancroft on our line to New York by the present route via Suspension Bridge as compared with the route eastward to Brockville, thence to New York, would be nine cents for 100 pounds higher. This would give to the manufacturer about $3.00 per 1,000 feet advantage, if our eastern connection was made.

Third.—Our eastern extension will enable us to give the cheese factories a rate of one-eighth to one-quarter cent per pound less than the present rate.

Fourth.—Our eastern connections will enable shippers to deliver iron ore to Troy and points in eastern Pennsylvania, where the competition with Lake Superior ores is very slight, and enable them to operate the mines at a profit. This will change the situation completely. Now, no business can be done, and no inducement can be offered, that will insure the operation of the mines. With our eastern connection a profitable market is assured the mine owner. The completion of the furnace, and securing the eastern markets will surely bring about the rapid development of this rich mineral district. The settlers in this country came in largely in connection with the lumbering operations. At every point on our line the pine timber has been taken off. While this work lasted a stimulus was given to settlement, as a market was assured for their produce. Now, these settlers claim that they contributed largely toward making the lumber business a success, and being left without a market, or the means of reaching one, they justly claim that such aid should be given as will enable them to hold their places, particularly, as the construction of the railway will stimulate settlement, and be a benefit to the Government as well as themselves.

We have already invested over $450,000 in constructing the forty-five miles, and will have to provide for an outlay of about $9,000 per mile over and above the Government subsidy for the remainder of our line from its present terminus

to Perth. Without some assurances of this eastern connection being made, it is very difficult to satisfy capitalists of our ability to earn enough over operating expenses to give a proper return on their investment. With this assurance we can, and will arrange for providing the amount needed, not only for building the railway, but for aiding manufacturing and mining operations along the line of our railway.

We therefore ask you to come to our relief and of the settlers along our line as built and proposed, by granting us the sum of $3,000 per mile on fifty miles more of our railway eastwards from where your last subsidy Act applies.

Yours truly,

CHAS. J. PUSEY,
President, Irondale, Bancroft and Ottawa Ry

To the Hon. A. S. HARDY,
Premier and Attorney-General, Ontario:

Referring to the application of the Irondale, Bancroft and Ottawa Railway, for a subsidy of fifty miles more of their line, we, the undersigned, wish to respectfully urge you to give a favorable consideration of said application, believing, as we do, that this will naturally aid in the development in the mineral and agricultural resources of the country tributary to this line of railway, and give our settlers an opportunity of utilizing the many advantages which we have, but without a railway are practically worthless.

James Best.	John Bremner.
J Cleak.	Fred. Mullett.
Robert. McCaw.	J. Jackson.
D. Fuller.	W. J. Sargent.
M. Rouse.	James H. Irving.
James McCaw.	R C. Fair.
W. J. Douglas.	H. McPherson.
D. H. Kelly.	Adam H. Davy.
Andrew Barr.	William Bremner.
George Mitchell.	Samuel Haryett.
William H. Way.	George Davy.
John Homberg.	W. J. Fitzgerald.
John Peterbaugh.	George Flynn.
Chester Davy.	William Mulcahy.
F. C. Humphries.	Dan. Kelly.
George Landon.	James Cannon.

RE JAMES BAY RAILWAY.

TORONTO, February 27, 1899.

The Honourable A. S. HARDY, Q.C., M.P.P.,
Premier of Ontario:

SIR,—The undersigned has the honor on behalf of the James Bay Railway Company to make application to the Ontario Government for assistance in the construction of that part of the said railway from the point at which it crosses the Severn River to James Bay.

Whereas, the Legislature of Ontario was pleased to grant (61 Victoria Chapter 22) to the James Bay Railway Company, to aid in the construction of ninety miles of the said railway from Parry Sound to a point at or near Sudbury, $3 000 a mile for the distance not exceeding forty miles ($120,000), and the unearned subsidy of $3,000 a mile for a distance not exceeding fifty miles which was granted to the Nipissing and James Bay Railway in 1889, which unearned subsidy was transferred to the James' Bay Railway, making a total of $270,000, and since these subsidies have been insufficient to enable the shareholders to undertake the construction of the road, it is respectively asked that these grants be extended to either of the following subsidies:—

Firstly. A cash subsidy of $5,000 per mile, from a point where the road crosses the Severn River to James Bay, or

Secondly. A cash subsidy of $3,000 per mile, and a land grant of 6,400 acres per mile for the same distance, the land to include all minerals and other products, but exclusive of pine timber.

The Company was incorporated by 58-59 Victoria, Chapter 50 (1895) of the Dominion Parliament, to construct and operate a line of railway from Parry Sound to James Bay. By 60-61 Victoria, Chapter 47 (1897), this Act was amended and extended, and authorizes an extension of the line from Parry Sound, in addition to the line of railway authorized by the Act of incorporation.

With the purpose of identifying the route of the said railway, the line may be divided into sections indicated by the appended map viz:—From the crossing of the Severn River to Parry Sound, thence to the vicinity of Sudbury, thence to a point on, or near, Lake Abittibi, and thence to James' Bay.

The country through which it is asked that the Government assist in building this railway is now without railway communication with the southern part of the province, and, until transportation facilities are secured, the resources of these lands must lie dormant.

The project of building this line of railway is not a new one and doubtless you are familiar with the abundant resources which the road will assist in developing. The James Bay Railway is essentially a colonization road, and as an important means of adding to the population and wealth of the province, is entitled to generous assistance on the part of the Ontario Government. It has been found impossible to secure capital for the building of this road for which traffic must be created as the road extends, so long as the Government confines its assitance to the construction of so small a part of the line. The present time is considered a most favorable one to undertake the building of this railway, and should the Legislature at its present session grant the subsidies for which petition is made, it is considered that the success of the road will be assured.

I have the honor to be sir,

Your obedient servant,

W. H. Moore.

Secretary.

Toronto, January 7th 1898.

Hon. A. S. Hardy, M.P.P.,
Premier of Ontario:

Sir,—The undersigned has the honor on behalf of the James Bay Railway Company, to make application to your Government for financial assistance in aid of the construction of that portion of the railway from the crossing of the Severn River to James' Bay, on the basis of either of the following proposals:—

Firstly.—A cash subsidy of $5,000 per mile, from the crossing of the Severn River to James Bay, or

Secondly.—A cash subsidy of $3,000 per mile and a land grant of 6,400 acres per mile; the land to include all minerals and other products, but exclusive of the pine timber.

For the purpose of identifying the route, the line may be divided into sections, as follows: From the crossing of the Severn River to Parry Sound, thence to the crossing of the Canadian Pacific Railway, thence to Montreal River, thence to Abittebbe, and thence to James Bay, as shown on the map hereto annexed.

The company was incorporated by 58 59 Vic. Chap. 50 (1895) of the Dominion Parliament, to construct, and operate a line of railway from Parry Sound to James Bay.

By 60-61 Vic. Chap. 47 (1897), this Act was amended and extended, and authorizes "an extension of its line from Parry Sound to Toronto, in addition to the line of railway authorized by its Act of Incorporation."

The project of a railway to James Bay has been so long before the country, and so often brought to the notice of your Government, that it is not deemed necessary to trouble you with statistics and arguments to convince you of the prime importance the building of this railway will be to the Province of Ontario, and particularly, to the City of Toronto. In this regard, the company assumes that your Government and the Legislature are sufficiently informed.

The general revival in trade, and its consequent beneficial effects upon the money markets of the world, have impressed the directors of this company with the view that the present time is opportune for placing the scheme upon the market, and it is believed, that, with the assistance the company now seeks from your Government, the project can be placed upon a substantial footing.

It is, therefore, of the utmost importance in order to avail of the influences at work at present to direct British capital to Canada, that, if your Government feel disposed to assist this enterprise, it should make a recommendation to the Legislature at its present Session.

I have the honor to be, Sir,

Your obedient servant,

(Sgd.) WM. MACKENZIE.

Resolution and Reasons.

The citizens of Sudbury and vicinity, in mass meeting assembled, would respectfully and earnestly urge upon the Ontario Government the necessity of assisting by way of bonus the building of the proposed Toronto and James' Bay railway, via Parry Sound and Sudbury, for the following among other reasons:—

1. That, from Gravenhurst north, it would open up a new country, rich in timber, mineral and other resources.

2. That it would divert a large portion of the trade of these great northern districts of Ontario as well as that of the western Provinces of the Dominion, to Toronto and other Ontario cities, but which now goes mainly to the eastern cities.

3. That it would promote the development of the vast mineral deposits of the Sudbury district, by lowering the cost of transportation of coke and other supplies for the mines, and thus cheapen the production of nickel and bring this metal into more general use. It would also enable mines that are at present inaccessible, to be opened up and worked.

4. That, without direct railway communications, such as would be furnished by this road, any contemplated smelting and refining works in Toronto, Hamilton or other Ontario cities, could not be successfully carried on.

5. That the building of this road would greatly enhance the value of all the unsold timber limits along the line, and in this way directly recoup the Government for a considerable part at least of the asked for bonus.

6. That such mining and other communities as would grow up from the construction of such a road would create the very best home market for a portion of the surplus products of the farmers of older Ontario, and thus greatly benefit the people of the Province at large.

7. That it would also open up large areas of good agricultural lands, and so enable many of our young men to settle down in the Province, instead of leaving the country to make homes of their own elsewhere.

NOTE:—See pamphlet, "The James Bay Railway.")

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RE ONTARIO AND RAINY RIVER RAILWAY.

TORONTO, ONT., March 3rd, 1899.

The HON. A. S. HARDY, Q.C., M.P.P.,
Premier of Ontario.

Re Ontario and Rainy River Railway.

SIR,—The undersigned has the honour to lay before your Government the position of the Company in regard to the subsidy already granted to this railway, and to apply for such further financial assistance as will ensure the early completion of the same.

The Legislature of Ontario has granted a cash subsidy of $3,000 per mile for that portion of the line between the point of commencement, and Fort Francis, a distance of about 205 miles, but it has not proved of sufficient assistance to enable the Company to finance this large undertaking, for the following amongst other reasons :—

1. The greater portion of this line is through a rocky country, the cost of which is far in excess of the cost of the ordinary railway in Ontario subsidized at $3,000 per mile. The fact that this line follows the Dominion Government's survey of the original Canadian Pacific line, which was abandoned on account of

the heavy character of the work, is sufficient indication of what the railway will cost. Reference to the Public Accounts will show what the present Canadian Pacific line from Port Arthur westward cost the Government to construct.

2. There are no municipalities along the line in a position to give any financial assistance whatever.

3. This railway cannot be built in sections, that is to say, it cannot be financed in sections, owing to the character of the country. A short section of railway, except in a thickly populated district, is not a desirable investment for capitalists, the Port Arthur, Duluth and Western Railway being a striking example.

4. As this line embraces a district comprising mining, agriculture and lumbering, alternating in sections, and the principal agricultural section being at the extreme westerly end of the proposed railway, settlements cannot be expected to be continuous until the agricultural district is reached, and will not support a railway in the same way that railways built through other districts of Ontario have generally been supported; therefore it is essential to the success of the enterprise that provision should be made for the development of all these industries, at the same time by financing the construction of the whole line at once, which in the opinion of capitalists is the only feasible way of making the undertaking a success.

5. It is desirable from every point of view that the railway should be built rapidly, so as to take advantage of the present movement in immigration and capital, as well as the saving of a large amount in interest during construction.

The undersigned, therefore, in view of all the circumstances respectfully submits that your Government may be pleased to recommend to the Legislature at its present session, as follows :—

That instead of the subsidy of $3,000 a mile granted as aforesaid, a subsidy be granted of $4,000 a mile for the entire length of the line from its junction with Port Arthur, Duluth and Western Railway, to its terminus at, or near, the mouth of Rainy River, or such other point at the western boundary of the Province as may be determined, a total distance of about 280 miles; also, that the Company be granted free right of way, and timber for construction purposes on Crown Lands.

In further explanation of the reasons given herein, we beg leave to append a memorandum, which for the sake of convenience we have printed.

We have the honour to be, Sir,

Your obedient servants,

KINGSMILL, SAUNDERS & TORRANCE,

On behalf of

The Ontario and Rainy River Railway Co.

STATEMENT IN SUPPORT OF AN APPLICATION FOR INCREASE OF SUBSIDY.

It is generally recognized that a change in colonization railway policy has taken place within the past few years. Formerly, settlers were expected to precede the railway, and when they had made their homes in the forest, and built up industrial pursuits, then an effort was made to give them railway facilities. This state of affairs has now been completely reversed. It has been found that the best and most rapid method of developing a new country is to have the railway precede the settler so that he may have easy means of ingress and egress from his new home to the older centres of civilization. With the immense drain upon the population of Europe that has been made in settling America, Australasia, and the African Colonies, it has been found increasingly difficult to secure desirable immigrants. With homes offered them in so many different countries, there has been a natural tendency to closely examine the relative merits of the new countries, and select for settlement, those districts which offer the greatest advantages. In weighing the relative advantages of settlement in new countries, nothing has greater effect than the matter of the means of communication with older settled countries.

Two-thirds of the Province of Ontario is yet to be settled. While other Provinces and the Territories are annually receiving additions to their population, Ontario is making comparatively little headway. If this Province is to keep pace with other districts of the Dominion and with the Western States, and settlers are to be induced to locate and work its mines, settle its agricultural lands and manufacture its timber, greater efforts must be made to give railway facilities into the unsettled territory. This is being done in Dakota, in Minnesota, in Washington Territory, in the North-West Territories, and in British Columbia; even in the far away Yukon district, there is a great demand for railways, and with them, there is little question that even these remote points will soon be developed.

Every year Canada spends a large amount for emigration purposes. A commercial value to the whole community is placed on every family who settles permanently within the borders of the Dominion. There are Canadian Agents in Europe and in the United States attempting to secure settlers for Canada There is no sum expended for that purpose by the Dominion to which the Province does not contribute the largest share. The benefits of the emigration work, however, go exclusively to the more accessible Provinces and Territories.

THE RAINY RIVER COUNTRY.

No part of the Dominion is better suited to attract and support a large population than the Rainy River District. In the Rainy River Valley alone it is estimated there are not less than 750,000 acres of the very best agricultural land, while the total area of the whole district regarded as fit for farming, dairying, and stock-raising, is estimated at 4 million acres. Speaking of the Rainy River Valley, one high authority is quoted as saying: "It is of unparalleled fertility, and is capable of sustaining 500,000 people, perhaps more. I have never seen early settlers more comfortable."

THE AGRICULTURAL RESOURCES.

The Rainy River runs for about eighty miles, through a rich alluvial tract of land. Nearly all the land fronting on the river on the Canadian side is suitable for settlement. The arable area runs back from the river some ten to twenty

miles, the soil being clay and clay loam, with a little gravel and sand. The greater part of the arable lands require no drainage, and as they are all at a considerable height above the river level, proper ditching would remove the surface water in the spring. The beds of the small creeks and stream are deep enough to provide adequate outlets, ditches and drains. The land is remarkably free from stones and rocks. The richness of the soil and the favorable climate make possible agriculture in all its branches. No part of Canada possesses equal advantages in rivers and lakes. The whole country is well suited to the purposes of the rancher. Cattle, sheep and swine can be raised here with the greatest advantage when once communication is established with the world's markets.

Mineral Wealth.

Although there is a great variety of mineral deposits in this district, detailed reference will be made to only three: iron, gold and copper. Near the Mat'awan river is the famous Mattawan Iron Range, where there are millions of tons of a Bessemer quality of hematite ore in sight, averaging 50 per cent to 60 per cent. metallic iron. These deposits have been tested with diamond drills, the ore has been uncovered by stripping, and shafts have been sunk to a considerable depth, and all operatians have gone to prove the superior quality and permanent character of the ore. For twenty miles this range is skirted and crossed by the Ontario and Rainy River Railway now under construction. The same road at its 100th mile taps the Atic-Okan Iron Range. The ore here is magnetic, and of a Bessemer quality, running from 60 to 70 per cent in tallic iron. A close examination has been made of many deposits in this district, borings of 500 feet deep have been made with diamond drills. The ore body is found to be from 150 to 300 feet in width, rising to a height of 200 feet above the surrounding country.

It is unnecessary to point out how desirable it is that these deposits should be drawn upon for the purposes of domestic manufacture. In 1897, Canadian imports of iron and steel, and manufactures of the same amounted to a value of $11,326,484 and to $10,952,607 the previous year. The importance of retaining within the Dominion this trade, or a substantial part of it, can be scarcely overestimated. The Dominion Government has passed several acts intended to encourage the manufacture of iron and steel from native ore. In 1897 it was enacted that the following bounties should be paid:—$3 per ton on steel ingots made from ingredients of which not less than 50 per cent. of their weight consists of pig-iron made in Canada, (2) $3 per ton on puddled iron bars made from Canadian pig iron, (3) $3 per ton on pig-iron made from Canadian ore, and $2 per ton on pig-iron made from foreign ore. In the session of 1894 it will be remembered the Legislature of Ontario appropriated the sum of $125,000 to be known as the Iron Mining Fund, from which the Treasurer is authorized to pay $1 per ton for pig metal, the product of iron ores mined and smelted in Ontario.

What has been the result of this generous encouragement to the smelting industry? The Hamilton Iron and Steel Company began operations in February, 1896, and in 1897 used 2,473 tons of Canadian ore as against 31,002 tons of foreign ore. This company is prepared to use 50,000 tons of Canadian iron ore annually if it can be obtained, but from the inaccessibility of the deposits in the Province, is obliged to rely almost entirely upon the ores of the United States. Although the bounties upon the utilization of domestic ore are desirable in building up the new industry, it is safe to predict that, were the smelters able to obtain Canadian ore at anything like a reasonable cost for transportation, it would be used. Projects are now on foot to establish several smelting works in Ontario,

and there is no better time than at their inception in which to make possible the utilization of the ore deposits of the Province

Of the gold and copper deposits of this region full information can be obtained by reference to Government geological reports. Dr. Coleman in the fifth report of the Bureau of Mines (Ontario), states in general that "gold has been found either in visible particles or by assay in a stretch of country reaching from near the Manitoba boundary on Shoal Lake eastwards to the Quartzite Mine, near Finmark Station, a distance of two hundred and sixty miles; and over a width of one hundred and twenty or thirty miles, from Minnietakie Lake to the south shore of Rainy Lake."

Most of the richest gold and copper properties are along the line of the Ontario and Rainy River Railway. After leaving the Mattawan Iron Range, previously mentioned, this line passes through an agricultural country until it reaches Lake Shebandowan, where it strikes a very rich mining region containing gold and copper. This field was first explored in 1873, but lacking transportation facilities, the whole region was allowed for years to lie dormant. There has, however, been considerable development made during the summer of 1897. There are scores of locations along the margin of Lake Shebandowan which have been partly developed, but which are now standing idle.

The line next passes through a mineral country to the Township of Moss, close to the Huronian Gold Mine, a property that was first developed in 1875, since when, work has been done involving an expenditure of $100,000. The owners of this claim erected a large stamp mill with Frue Vanners and Concentrators, and it has proved a very valuable property. But, as in other instances, by reason of the great distance from railway and water communication, the company has been obliged to close down until some means of communication is established After leaving the Huronian mine the line passes through a region of rich minerals, and strikes the Sawbill, Hammond and Partridge Lake districts where several large stamp mills have been erected. A great many mines in this district are in the course of development, and several mills are to be erected during the ensuing summer of 1899.

The next important gold district which this line will open up is that of the Seine River. At the junction of the Atic-Okan River with the Seine is the Lake Harold Gold Mine, where a 10-stamp mill has been erected and good results obtained. The line continues along the Seine until it strikes the Shoal Lake and Vermilion Lake Gold Regions, where, within an area of ten to twelve miles, one of the greatest developments in the Rainy Lake District has been made, and several large mills erected, the more important being those of the Golden Star, the Olive, and the Foley group. Other mills are in the course of construction and will be ready for work by the time navigation opens. The mines having mills erected in this section are, even under present circumstances, on a paying basis, and of course will be much more valuable when railway communication is obtained. It must be remembered that the ore of this district is largely free milling, and in preparation requires stamping and concentrating machinery. This plant is very heavy and at the same time requires careful handling. Railway carriage is almost the only means by which it can be safely carried into the mining districts.

The Forests.

The lack of forest wealth has been a barrier in the way of the colonization of Manitoba and the Northwest Territories, and must always hinder the industrial progress of that portion of the Dominion. Northwestern Ontario is not

subject to this disadvantage. There is a great deal of red and white pine between Sagimaga, Seine and Maligne rivers, with large pine in the Rainy Lake District, and much on the innumerable islands of the Lake of the Woods.

The lack of transportation facilities has delayed the development of this industry. A number of limits leased by the Government are not being worked for that reason, and are in danger of fire from mining prospectors. Lumbermen in the Northwestern States are relying almost entirely upon the railway as a means of carrying their material and products, and the old time method of using the streams exclusively, is being discarded as uneconomical. Arrangements have been made to construct several large mills so soon as a railway is in operation through this territory, and others will soon follow. The forests of the Rainy Lake District are not only valuable as furnishing cheap fuel and building material for new settlers, but they give opportunities for profitable trade with other parts of the Dominion, and especially Manitoba.

Water in the Rainy River District.

No country could be more abundantly blessed with water than this district. The liberal water supply is very valuable in the treatment of milling ores. In many mining countries water has been provided only after the construction of costly works, and then a service has been secured very much inferior to that which Nature has bestowed upon Northwestern Ontario.

The power afforded by the rivers of the Rainy River country will be invaluable for industrial purposes, and already elaborate plans have been made for its utilization. About twenty miles from the eastern terminus of the Ontario and Rainy River Railway is situated the Kakabeka Falls, higher than Niagara, and affording about treble the power developed by St. Anthony's Falls at Minneapolis, and which have been a prime factor in building up that important city.

A short distance further west is Silver Falls, also higher than Niagara. At the crossing of the Seine River another great water power occurs at Sturgeon Falls, and another at Fort Francis where the line reaches Rainy River. In addition to these large powers, the numerous streams touched by the railway afford many other water powers of greater or lesser extent. It is safe to say that in no other part of the Dominion are there so many and such well-distributed water powers within an equal space of territory. Cheap power can here be obtained for flour mills, lumber mills, smelting works, stamp mills, paper, and pulp mills, and all other industrial undertakings which will be attracted to this district by reason of its abundant supplies of raw material.

The Ontario and Rainy River District.

The Ontario Government has offered to assist in the construction of part of this line at the rate of $3,000 per mile. The assistance granted has not been sufficient to justify the Company in undertaking the expenditures necessary to the completion of the road, and this mainly for the following reasons:—

1. The cost of building this railway, as compared with the cost of general railway construction in Ontario, is much above the average. This line follows the Dominion Government's original survey of the Canadian Pacific Railway, which was abandoned on account of the heavy character of the work, it being considered one of the most expensive sections of the Canadian Pacific Railway. The greater portion of this line must be built through a rocky country traversed by numerous large rivers, streams and lakes, many of which will require heavy structures.

2. The territory through which the road passes is not a wholly agricultural country capable of thick settlement. Mining country intervenes between the agricultural districts, so that the settlements along the line cannot be continuous, and will not support the railway in the same way that railways built through the agricultural districts have generally been supported. This railway cannot be financed and built in sections, because a short line of railway will not pay interest without close settlement along the line sufficient to make very considerable local traffic. Therefore, it is essential to the success of the railway to finance the whole undertaking at the same time. Capitalists know that a section built to serve mining alone would not pay, and the same with the timber and agricultural interests. It requires the encouragement of all these interests to make the enterprise a paying venture. In addition, it is very desirable that the line should be built rapidly to save interest on capital during construction.

The Company has therefore made application for a subsidy of $4,000 per mile over the whole of its line from the starting point on the Port Arthur, Duluth and Western Railway, to the western boundary of the Province, and with this subsidy the Government may be considered as having completed its part in this important undertaking.

It is fair to assume that if the Legislature assents to the proposed grant, the revenue of the Province will increase from the development of the resources of the district to be served by the proposed railway, more than sufficient to justify the aid.

Preliminary Prospectus.

Acts of Incorporation.—This company was incorporated by an Act of the Dominion Parliament of Canada, 54-55 Vic., chap. 82, which continues in force all the powers and privileges granted to the company by previous Acts of the Ontario Legislature, and also declares the work to be for the general advantage of Canada. The Act also confirms certain agreements made between this company and the "Port Arthur, Duluth & Western Railway Company," respecting running powers over the first eighty miles of the latter company's railway, in consideration of this company having assigned certain cash subsidies previously granted to it by the Ontario Legislature, and subsequently earned and received by the Port Arthur, Duluth & Western Railway Company in pursuance of said agreements.

Powers to Construct and Operate.—The company has power to construct and operate a line of railway from the town of Port Arthur, at the head of Lake Superior, through the Algoma District to the mouth of Rainy River, at Lake of the Woods, near the international boundary, a distance of about 300 miles, but as the company has acquired statutory running powers over the Port Arthur, Duluth & Western Railway, for the first eighty miles from Port Arthur, actual construction will begin at a point between Whitefish and Sand Lakes, about forty miles from Port Arthur, thus reducing the length of the main line to be constructed, to about 260 miles.

Branch Lines.—The company also has power to construct and operate branch lines from its main line, (1) to Basswood Lake, (2) to Kashaboiwe Lake, and (3) to Rat Portage, on the line of the Canadian Pacific Railway.

The company has "the right as user" over the extension of seven miles of the main line of the Port Arthur, Duluth & Western Railway to Gunflint Lake,

making eighty-seven miles in all, also over the proposed branch of the same railway to Kakabeka Falls, a distance of three and a half miles.

Subsidies in Aid of Construction.—The Legislature of Ontario has granted as a free gift to the company in aid of the construction of that portion of the line between the junction with the Port Arthur, Duluth & Western Railway and Swell Bay, on Rainy Lake, $3,000 cash per mile for 165 miles, amounting to $495,000, payable as each section of ten miles is completed.

The Dominion Parliament of Canada has granted a supplementary cash subsidy of $3,200 per mile in further aid of the construction of the first eighty miles from the junction, amounting to $256,000, payable in ten mile sections.

Object of the Railway.—The importance of the railway is emphasized by the liberal subsidies granted by both the Ontario and Dominion Governments in aid of its construction, and its principal object may be stated as follows:—

Firstly.—A colonization line for the purpose of bringing under cultivation and settlement, very large areas of agricultural land, more particularly referred to hereafter; providing transport to local and foreign markets for the products of large tracts of merchantable timber; for the development of enormous deposits of hematite and magnetic iron ore; for the development of the gold mining districts of Rainy Lake and its tributaries, and

Secondly.—The equally important object of forming part of a second through line between the Western Prairies and Lake Superior, already demanded by the people and Legislature of Manitoba, in order to meet the requirements of a rapidly increasing inter-provincial trade, and the export of cereals, cattle, and other products to Great Britain.

The Country Through Which the Line Runs and its Possible Sources of Traffic.—Leaving the Junction of the Port Arthur, Duluth & Western Railway, the line takes a northwesterly course to the crossing of the Mattawin River. Between this river and Green Water Lake, is the Mattawin iron range in which it is estimated there are three millions of tons of hematite ore, assaying from 40 to 55 per cent. metallic iron. The ore body has been extensively tested by diamond drills. It is similar in character to the Mesaba iron range of Minnesota. The line runs in close proximity to this range, which is about twenty miles long.

From Green Water Lake at the 30th Mile.—The line passes through extensive deposits of Steatite, for the manufacture of fire bricks, and is the only known deposit of the kind in Western Canada. At Lake Shebandowan the line touches a very long stretch of inland navigation. Upon the shores of this lake and its tributaries, considerable quantities of merchantable timber will be made tributary to the line. Here, a large number of gold discoveries of considerable promise have been located this year, and a goodly traffic will doubtless come to the railway by vessels plying on this lake.

From Shebandowan Lake at the 40th Mile.—The line will pass through a fairly well wooded country with some good agricultural land in the vicinity, until Moss township is reached. Here the Huronian gold range is crossed; here also the Huronian Gold Mining Company has a ten stamp mill crushing free milling ore Upwards of 400 mining locations have been taken up in this locality. Promising copper veins, some of them 100 feet wide, have also been found. This section only awaits transportation facilities for supplies, to ensure further extensive operations. Continuing southwesterly.

Partridge Lake and Atic-Okan River at the 87th mile is reached, where the second great iron range occurs. This is said to be one of the most extensive

deposits of iron ore yet discovered in America. It is estimated that several millions of tons of magnetic ore are in sight, averaging from 50 to 70 per cent. metallic iron. The ore body is from 150 to 300 feet in width, rising to the height of 200 feet above the surrounding country, and extending 20 miles. Shafts have been sunk, cross cuts have been made, also borings with diamond drills, some to a depth of 500 feet. The line parallels this range for about 15 miles. After passing Sabawe Lake the next point of interest is

The Sawmill Mining District at the 105th mile, which is receiving much attention by capitalists at present, as considerable mining is going on here. The Ontario Government built a waggon road from Bonheur Station on the C.P.R. to these mines, a distance of 35 miles, to transport supplies. The Hammond Reef gold mine has a ten stamp mill at work, and the Hammond Consolidated Company is erecting a mill of 50 stamps. Over 500 gold mining locations have been surveyed in this district, and with the advent of the railway the erection of many stamp mills may be expected. Continuing southwesterly and following the valley of the Seine River.

Sturgeon Falls at the 135 mile is reached. This may be said to be the beginning of the heavy timber belt tributary to Rainy Lake, more particularly referred to hereafter. Before reaching Sturgeon Falls the Lake Harold mining camp is passed. Here a five stamp mill is at work, adjacent to which about 100 mining locations have been recently taken up. Sturgeon Falls affords an enormous water power. Situated as it is, in the heart of the gold bearing belt, the machinery of numerous mines will yet be operated by means of electrical energy, generated by this water power. When railway facilities are provided there will, doubtless, be great activity in mining, and the manufacturing of lumber and its kind, in this section.

Crosssing to the Seine River, at Sturgeon Falls, the line proceeds down the Seine River, the valley of which widens out extensively. The soil is a deep alluvial deposit, and very fertile. Above the valley, mining locations occur all the way to Mine Centre, and thence to Swell Bay, on Raing Lake. Mine Centre has already become famous. The Foley gold mine with its 20-stamp mill is located here. The workings at this mine are quite extensive, having attained the depth of 300 feet. Three other mines in this vicinity are working from three to ten stamps each. This mining section may be said to have already passed the experimental stage, as good returns occur regularly. Mining operations are greatly handicapped by the heavy expense of getting supplies and machinery over the present circuitous route, and by the fact that there is no outside communication from the 15th November until the 15th May. That there is in this region extensive gold bearing veins of permanent character, rich in free milling gold, is now established beyond all reasonable doubt.

Swell Bay at the 165th mile, is where the line first touches Rainy Lake. From here to Fort Francis the line crosses several arms of Rainy Lake. Fort Francis, at the 185th mile, is a thriving village, beautifully situated at the outlet of Rainy Lake (the head of Rainy River) commanding a view of the Falls, which at this point affords another great water power.

Rainy Lake, Rainy River, and Lake of the Woods, are international waters dividing the State of Minnesota from Ontario. The area of country drained by these waters, on both the Canadian and Minnesota side, comprises thirty million acres, containing immense pineries, from which the prairies of the west are supplied with their lumber and building material. The annual output by Lake of the Woods lumber mills averages seventy-five million feet, all derived from the Rainy Lake and Rainy River districts. It is estimated that there is over eight hundred million feet of merchantable timber of all kinds on the Canadian side alone and more than that quantity on the Minnesota side. Inasmuch as the flow

of the water on both sides is to the basin of the lake and river, this timber is tributary to the railway, which follows this main water channel. Having regard to the traffic these forests will afford, and the trade incidental to the manufacturing and marketing of their products, an enormous traffic from this source alone, can be confidently looked for.

Leaving Fort Francis the line continues westerly through Rainy River valley for 75 miles to the mouth of Rainy River. This is the main portion of the greatest agricultural belt in western Ontario, estimated to contain over 750,000 acres of exceptionally good farming land. The front of Rainy River on the Canadian side is already in the hands of thriving farmers who have cleared the land, and are now producing abundant crops This stretch of country is an unbroken plain of level land, well watered, and covered with timber. Mining, lumbering, and farming are here in close proximity, much to the advantage of each other.

Hon. A. S. HARDY, Premier of Ontario, speaking in parliament concerning the Rainy River country, said: "It is of unparalleled fertility, I know of no stretch of seventy-five miles in Ontario that can compare with it in richness or fertility of soil. It is capable of sustaining five hundred thousand people, perhaps more." Concerning the country traversed by the Ontario and Rainy River Railway, the Premier further said: "I was delighted to find that the line runs through some very rich farm lands. It runs through some of the richest iron producing districts in the Dominion, and it is thought it will ultimately prove a great mineral road."

The Honorable JOHN DRYDEN Minister of Agricultural said: "As I told the people at Fort Francis, there are some things they can grow up there that we cannot grow in the older parts of Ontario, and in which they can beat us. Clover does not seem to heave in the winter, and is as good the third year, I am told, as the first. The advantage of this would be understood by practical farmers, because we think where we can raise a good crop of clover we can grow anything. I saw corn eight feet high which had been sown on the seventh of June. I saw a field of turnips as good as I saw anywhere in my travels. They can also grow barley and spring wheat, and vegetables of all kinds. There is the opportunity there for the production of live stock as profitably as anywhere in the Dominion. It means that it is a good dairying country, and if I were a farmer, I would devote myself to that branch of farming."

Mr. JAMES CONMEE, M.P.P., for West Algoma, says: "The belt of good land is not confined to the valley of Rainy River, but extends northeasterly along the shore of Lake of the Woods, and for a considerable distance along the northern shore of Rainy Lake. I estimate the agricultural land as equal to an area of 140 miles in length by forty miles in width, or 4,084,000 acres. There are other valleys of excellent land, but none so large as the Rainy River valley."

KINGSTON, ONT., MARCH 16th, 1897.

RESOLVED,—"That the Council of this Board of Trade is heartily in accord with the proposal to build the Rainy River Railway; that this Council believes the construction of this road would open up a gold belt which is one of the richest in Canada, and which should not be allowed to remain without direct connection by rail with the eastern part of the Province; and that this Council instruct the secretary at once to forward a copy of this resolution to the Honorable William Harty, at Toronto, with the request that he do all in his power to bring about the granting of the required subsidy to aid in the building of this road."

FRANCIS KING,

Secretary, Board of Trade.

Moved by Ald. RICHARDSON, seconded by Ald. ALLEN, and resolved,

Whereas the speedy construction of the Ontario and Rainy River Railway will, in the opinion of this Council, create a new short line of transportation between this Province and the grain fields of Manitoba and the North-West Territories, and promote the development of the mineral wealth of the Thunder Bay and Rainy River Districts, and will open to settlement a large area of fertile land within the limits of this Province;

RESOLVED, That it is the bounden duty of the Ontario Government to aid the construction of this most important undertaking, with substantial aid per mile, from Port Arthur to the western boundary of the Province; and

RESOLVED, That the Mayor communicate this resolution to the Honorable William Harty, the city representative in the Provincial Legislature, with the respectful assurance that this Council earnestly requests him to do all in his power to promote the interests of the Province, which they believe to intimately depend upon the speedy construction of the Ontario and Rainy River Railway. Carried.

J. HARRISON,
Mayor.

M. FLANAGAN,
City Clerk.

TORONTO, 3rd January, 1898.

Hon. A. S. HARDY, Q.C., M.P.P.,
Premier of Ontario.

SIR,—The undersigned, as President of the Ontario and Rainy River Railway Company, has the honor to make application to your Government for such further financial assistance as will ensure the completion of this railway, from a point on the line of the Port Arthur, Duluth and Western Railway, to its terminus, between Fort Francis and the mouth of Rainy River.

The Legislature of Ontario having granted at various times subsidies in aid of the construction of a portion of the line, the undersigned begs leave, for the sake of convenience, to recite herein the subsidies already granted, and to state the reasons which induce the company to make the present application.

In the session of 1894, the Legislature of Ontario granted a subsidy of $3,000 per mile, for the first	35	miles.
In 1895, a similar subsidy for the next	45	" and
In 1897, " "	85	"
Total	165	"

These subsidies cover the line from the junction of the Port Arthur, Duluth and Western Railway, to Swell Bay, on Rainy Lake, thus leaving a considerable distance to the terminus of the line still unaided by the Government.

The company has recently been reconstructed, and the control is now in the hands of men who feel confident of their ability to complete the line in an expeditious manner, provided your Government will consent to recommend the measure of assistance contemplated by this application.

The company has recently made another exploratory survey of the line, and a further examination of the country through which it will pass, and is therefore in a position to know with reasonable accuracy what the line will cost,

and to state what further aid is necessary to insure its early completion and operation.

While the policy of the company and the Government has hitherto been one, in desiring to build the line in sections as a colonization railway, the conditions of the country have changed so rapidly of late, owing to the rich discoveries in gold and other minerals along the proposed line, that the only scheme in this connection that will now appeal to capitalists as a probable paying investment, is a completed line, traversing Ontario's great mineral belt, and reaching at the earliest possible date, the timber and agricultural resources of Rainy River.

This view is strongly emphasized by the fact that an enormous amount of foreign and local capital is being rapidly directed to points west of Ontario for mining purposes; whereas it is believed that if better means of access is provided, a large share can be diverted to the gold fields of the Rainy Lake district.

I may be permitted to draw your attention to a petition laid before your Government in March last, signed by nearly all the wholesale merchants of Toronto, declaring "that the crying need of the Province at the present time is the building of this railway, in order to preserve and increase its provincial trade." What was said last March in this regard can, in the light of subsequent events, be said now with much greater force. The conditions are such, that, if Western Ontario is to reap the full advantage of her position she must act quickly, or the opportunity will be lost

The undersigned, therefore, in view of all the circumstances, respectfully submits that your Government may be pleased to recommend to the Legislature of the Province at its present session, as follows:

(1) That the existing subsidies mentioned herein be raised from $3,000 a mile to $5,000 a mile.

(2) That the Governor in Council be authorized to grant $5 000 per mile for the remaining portion of the line from Swell Bay, on Rainy Lake, to its terminus at a point to be determined by a further and more accurate survey of the country, but subject to the approval of the Governor in Council, and,

(3) That the time for earning the subsidies already granted be extended and made uniform with the period for earning any subsidy that may be granted covering that portion of the line from Swell Bay to the terminus aforesaid.

I have the honor to be, Sir,

Your obedient servant,

FREDERIC NICHOLLS,

President.

RE THE ONTARIO, HUDSON'S BAY AND WESTERN RAILWAY.

TORONTO, Feb. 1st, 1899.

To the Honourable A. S. HARDY, Premier,
And the Honourable Provincial Council of Ontario:

The undersigned citizens of Ontario desire to call your attention to the fact that the boundaries of the Province of Quebec have been vastly extended by the allotment to it under Dominion laws of 1898 of an immense tract of unexplored territory adjoining this Province on the east, and extending for some 200 miles northward to the sea coast at James Bay, and nearly 100 miles further to the north upon the east side of said bay, comprising, it is estimated, over 50,000 square miles next to Ontario in the basin of Hudson's Bay.

The result of this new accession of such area to that Province, which with that added further to the eastward makes it very much larger than Ontario, it is easy to see, will render it ambitious to secure the first commercial port at our great Canadian sea. Steps to that end are already being taken in projecting new lines of railway through its interior to those shores; notably the extension of the Quebec and Lake St. John's Railway to tide water at the mouth of Rupert's River. To this the Dominion Government has already contributed largely, and may be induced to grant further subsidies for its extension to the sea.

WE RESPECTFULLY REPRESENT that, as Ontario has the shortest distance to traverse in connecting its railway system with the great Canadian sea, it should take immediate steps to have such connection made, or at least a roadway opened to the nearest navigable waters in the Hudson Basin, as a prelude to railway transit, and to encourage explorations in the hitherto neglected districts of the area known as "New Ontario."

If it is possible to open a preliminary passage way to our northern sea coast before the close of this year, we respectfully urge that it should be done as a fitting climax to Ontario progress during the 19th century.

We earnestly hope that you will fortify Ontario's superior geographical position by causing it to be first in utilizing the resources and transit connections of the great sea, and as an affair of more impartance than any other that can be presented for immediate legislative sanction.

Very respectfully,

ROBT. KILGOUR,
A. E. KEMP,
G. A. COX,
STAPLETON CALDECOTT,
G. M. MILLIGAN,
GEO. R. PARKIN,
J. J CASSIDY,
M. U. FUDGER,
J. W. COULTER,
ELIAS ROGERS,
W. AMES,
B. E. WALKER,
ROBERT JAFFRAY,
GEO. M. GRANT,
WM. BRIGGS,
ÆMILIUS JARVIS,
J. H. PLUMMER,
JAMES SCOTT,
A. A. ALLAN & CO.

TORONTO, Jan. 12th, 1898.

To the Hon. A. S. HARDY,
Attorney-General, Parliament Buildings.

DEAR SIR,—The undersigned Directors of the Sault Ste. Marie and Hudson's Bay Railway Company, having heard, or read, your very impressive remarks at the hearing accorded to the subject of opening up communication with Hudson's (or James') Bay, at the Council Chamber Monday evening last, which confirms their previous confidence in your appreciating the vast benefits to result to this Province from access to the great Canadian sea, if promptly made, upon the best route for rapid and remunerative development of New Ontario, and its adjacent secluded "ocean"—to use your apt expression—beg leave to send to you their assurance of a desire to aid in this matter upon the lines indicated by you as most desirable, namely, Government aid in lands rather than money.

Referring to the report of the Chief Engineer of this Company annexed to that of the Government Commissioner, W. A Charlton, M.P.P., pages 17, 18 and 19, it will be noted that he appears to have demonstrated therein that, by adopting a policy of a Governmental reserve of alternate townships of land for two tiers on either side, with an advance in price on the third tier to remain solely in Government ownership excepting to complete the mileage area allowance to the Company, and re-serving the pine timber and certain mineral values on the entire area, the Government could secure the benefits of the railway, refund any advances made, and have several millions of profit in enhanced values and revenues by such management of that small part (less than 1-10) of the Crown unsurveyed lands in that region.

The Board of Directors consider this proposition as a sound one, and to show their faith in the same officially in a meeting of the Board of Directors of the Railway Company, supported the duly adopted preamble and Resolution, a certified copy of which is herewith respectfully presented for the consideration of the Government.

To this official action the undersigned will, as individuals, remark that in the short remainder of the Legislative Session for this year it can be expected to confer only general authority to the Lieutenant-Governor in Council to aid the proposed railway upon the main lines thus indicated, and its directorate will be pleased to thereafter apply to the Honourable Council for such detailed action as the public interests may suggest.

Meanwhile they desire to return special thanks for the action of the Govment in sending Wm. A. Charlton, Esq., M.P.P., as its Commissioner, to examine the Moose River route, and for permitting them to become advised of the tenor of his report, which has materially added to the information they had previously obtained, and in their opinion warrants the proposal herewith submitted as a practical solution of a problem of over shadowing importance.

Yours respectfully,

STAPLETON CALDECOTT,
S. H. BLAKE,
ROBERT KILGOUR,
JAMES SCOTT,
T. W. LANGMUIR,
} Directors, etc.

SAULT STE. MARIE AND HUDSON'S BAY RAILWAY COMPANY.

At a Meeting of the Directors of the above named Company held at the office of its counsel in the Bank of Commerce building in the City of Toronto, on the 12th day of January, 1898, the following preamble and resolutions were duly adopted :

Whereas, at a public hearing in the Council Chamber of this Province accorded to the Mayor and a delegation of the citizens of Toronto, and other cities, to urge upon the Government the importance of opening railway transit facilities to the Northern sea coast of Ontario, the Honourable A. S. Hardy, as Premier, in replying to the mayor and citizens address said that the object was one the importance of which to this Province could not be over estimated, as it meant access to an ocean of illimitable resources, as well as the penetration of a vast unproductive territory which required railway transit as the first step towards its improvement, and that the Government were only deterred from joining in efforts to furnish the same, by the prospect of thereby materially adding to the volume of the public debt.

And Whereas the report of the recent examination of the charter route of this Company by the Commissioner appointed by the Provincial Government and supplemented by the chief engineer of this company, has convinced this Board that the aforesaid object can be obtained not only without increase of provincial indebtedness but with an immediate increase of its financial resources and Crown land values.

Resolved, "That this Board begs to assure the Government of Ontario, that it will undertake to finance the building of the railway : first from Missanabie to the Great Northern Sea, and afterward to extensions of the southerly section of its charter route for not exceeding a moiety of the increased values which the transit facilities of its line of railway will create upon the Crown lands in immediate proximity to its line, and solely within the at present unsurveyed portion of the same, upon the following general basis :

First—That for the width of two tiers of townships, or twelve miles from the located railway, each alternate township shall be granted to the Railway Company, as each section of twelve miles is completed ready for car service to the extent of 7,600 acres for each mile of main track railway. Deficiencies in this quantity per mile caused by water spaces of lakes, muskegs, marshes, or otherwise, to be supplied from the third tier of townships as aforesaid.

The Government to reserve the white pine timber, and mining rights to minerals known as precious metals thereon.

Second—From receipts to the Provincial Treasurer from sales of reserved Crown lands within said tiers of townships, or from the timber or mineral reserves thereon, there is to be one-half, or so much thereof as may be necessary paid to the Company to the extent of one hundred dollars per mile per year for thirty years, to aid in the expense of building said railway.

Third—Out of the first receipts referred to in the preceding paragraph, the sum of one hundred and fifty thousand dollars is to be paid to the railway company in aid of its opening a carriage road from the Canada Pacific Railway between Missanabie and Grassett stations to the navigable waters of Moose River, from whence passengers and freight can be taken to tide water thereon during the open season of 1898

FOURTH—The Company to have the right to remove any timber upon the tiers of townships aforesaid by paying the Government the usual Crown land dues thereon.

RESOLVED, That this Board also desires to have the fact appreciated that it is promoting the only route now projected to Hudson's or James Bay which is intended to build up a seaport within the boundaries of Ontario.

IN PROOF of this it submits a "blue print" copy of a section of the map of the chartered routes to North Bay and from Sudbury, exhibited by the promoters of the same at a public meeting held in Toronto the present month which exhibits their northern terminus to be really in Quebec, although both charters name Moose River as the legal northern terminal. It was publicly stated by those in control that the Quebec terminal was preferred, and would be eventually adopted, and that as Quebec would be largely benefited by the proximity of the route southwards, its Government could be legitimately applied to for a bonus to aid the same.

THE BOARD therefore consider that, as a midland new Ontario route, the one they advocate, is practically without a rival for judicial Provincial aid.

STAPLETON CALDECOT,
President.

A TRUE COPY. ATTEST CHAS. T. HARVEY,
Secretary pro tem.

TORONTO, 28th December, 1897.

The Honourable
THE ATTORNEY-GENERAL OF ONTARIO,
Parliament Buildings, Toronto.

SIR,—As promised at our interview of to-day, I beg herewith to mention shortly the matters that you requested should be put in writing:

1. We understand that the report of W. A. Charlton, Esq., M.P.P., deals with the subject of the route in question, and it is therefore of very great moment to us that at the earliest convenient moment we should have a copy of his report in order to present it to those who are interested in furnishing the funds for the completion of our railway. We shall therefore feel very much obliged to you if you will let us have as soon as it is proper a copy of this report.

2. I beg to submit to you whether in reality our Railway Company does not present the only practicable route at the present for the construction of a line of railway bringing the Province of Ontario into connection with the Hudson's Bay territory. It is not a question of the shortest possible route to some point in the Province, but the shortest and least expensive route which will bring the northern land into direct contact with Ontario, giving that Province all the possible advantages connected with this vast territory that she is able at the present time to afford to pay for.

3. In the future, direct lines or further communication may be brought into existence, with the demands which will show them to be warranted. At the present time, at an almost nominal cost, all Ontario is brought into contact with the Hudson's Bay by a direct line of railway, which, if subsidized, will be an actual fact within two years.

4. The result of the construction of such a railway will be to bring Ontario first into the field, and grant her the opportunity of opening up, exploiting and

procuring for herself all the benefits of this land which is her heritage, and which benefit should not be permitted to be handed over to others.

5. This line of 240 miles from Missinabie to the mouth of Moose River accomplishes this result: (*a*) It is the natural line of a communication; (*b*) It is the shortest; (*c*) It is the least expensive: (*d*) It can, and will, be completed at the earliest date.

6. It about equally divides the new territory and therefore gives equal advantages to the east and to the west. It touches a point which gives without any expenditure a reasonably direct communication with the other portions of the Province, whether it be Toronto, Hamilton, Ottawa or Fort William. Extensions and direct lines can be thereafter completed as the demands of the country require. In the meantime this is in itself a complete line, giving to a reasonable extent facilities to all.

7. The Company has thought that the fairest method of dealing with the lands would be to grant alternate townships on each side of the road to the extent of 7,500 acres a mile. This will give the Province equal chances with the Railway Company in the opening up and in the values of the territory passed through. The Company had thought that, looking at the importance and chances connected with the undertaking, $3,000 a mile—a usual grant—should be made to it. After the various discussions had with your Government, they are prepared to lessen very considerably their proposition in respect of this branch of the subsidy, and also to place it in a manner least burdensome to the Province. The Company therefore suggests that there shall be paid at the rate of $100 a mile for a period of thirty years to the undertaking. This will do away with the thought that the Company desires a large down payment for work which, if not performed, will leave it in the power of the Government to cancel the future payments.

8. As this road is one entirely independent of any other line of railway the Company is prepared to enter into the agreement suggested—that it will not amalgamate with any other line of railway or abandon its charter in favor of any other Company unless with the sanction of the Government.

9. If the Government thought it a matter of moment to seize the earliest opportunity of diverting explorers or settlers, the Company could undertake to have completed not later than the month of July of next year a mail route for the first 122 miles, which would bring passengers and mails to the navigable waters of the Moose River, whence by steamer they would be carried north.

10. It is proposed to have completed the whole of the line of railway from the C. P. R. to the mouth of the Moose River within two years. The first half of it would be complete and ready for traffic within eighteen months.

The Company will be glad to give such further information and assurance as you may deem proper. We are informed by cable that the money necessary for the construction of the road has been subscribed and is ready to be furnished at any time that an assurance is given that the subsidies asked for have been granted. You will therefore see of what great moment it is to our undertaking to have a reply from you at the earliest possible moment.

Faithfully yours,

STAPLETON CALDECOTT.

Toronto, February 19th, 1896.

The Honorable A. S. Hardy,
Commissioner of Crown Lands,
Toronto.

Sir.—Referring to your suggestion, at the interview at your office which I had the honor of attending to-day, that a brief exhibit of some of the advantages to accrue to the Province of Ontario from the opening of railway communication with its Sea Coast along the shores of James Bay, and through the intervening territory in the District of Algoma to the St. Marys River as proposed by the Sault Ste Marie and Hudsons Bay Railway Company, would receive your special attention and that of your honorable colleagues in the Council. I take pleasure in submitting the accompanying brief statement for your and their consideration.

I beg to say further that the Railway Company tendered to me during the past year the position of Chief Engineer to take charge of its construction work, which I am holding in abeyance until its financial status is established upon a basis satisfactory to the Government and to the private capital necessary for its realization. In the meantime, however, I have, during the past season made an extensive reconaissance of its proposed route to gain a personal knowledge of the salient features of the same, and of the resources for traffic which it would command.

As the result of examinations along hundreds of miles of its approximate line south of, and across the "Height of Land," and north into the basin of the Moose River, I am able to say that the route is feasible, and in the northern portion decidedly favorable, and that three years succeeding the present one will be an abundance of time to open a railway line to the shores of the great Canadian Sea. It will give me great satisfaction if I can contribute as an intermediary in arranging a plan by which the Government and private capital will co-operate to secure this new and most important development of the latent resources of Ontario.

Very respectfully yours,
CHAS. T. HARVEY.

MEMORANDUM OF DATA SHOWING PROVINCIAL INTERESTS IN THE DISTRICTS OF ALGOMA AND NIPISSING TO BE PROMOTED BY THE RAILWAY ROUTE BETWEEN ST. MARY'S RIVER AND JAMES BAY COVERED BY 53 VIC. CAP. 124, ONT.

Geographical Features.

The Moose River basin has the largest area of any river drainage in Ontario, reaching from the boundaries of Quebec on the east, to the west line of Algoma, a distance of over 300 miles east and west, and for a like length north and south, comprising over 90,000 square miles, or nearly sixty millions of acres in that single water shed. Nearly all is held as Crown lands, not 1-10 of 1 per cent. having passed into private hands, or is being improved in any way. The remaining lands in those Districts are drained into Lake Superior and St. Mary's river, including in the latter's basin the channel north of Manitoulin Island the area of which will average about 100 miles north and south by 300 east and west, comprising 30,000 square miles, or nearly twenty millions of acres also unimproved except along the lines of the present railways.

The approximate route of the Sault Ste. Marie and Hudsons Bay Railway Company is indicated on the accompanying map, and it possesses the following fundamental advantages :—

1st. It is the shortest possible route from the C. P. R. to the Salt Sea, being 240 miles on an air line.

2nd. Its C. P. R. junction is in the Moose river basin, and can follow the valley of one or more of the main branches to the mouth.

3rd. It bisects that basin and the north section of Algoma on a nearly equidistant oblique line which reaches the deposits of lignite, gypsum, kaolin, and iron ores, in the best possible direction for cheap transportation of the same to shipping points.

4th. At the junction (yet to be located) on the C. P. R. between Missanibie and Grassett stations, the distance to Winnipeg will be about 700 miles, and, when combined with the north section of the proposed line will afford such a feasible route from Manitoba and the North West to Hudson Bay, that the opening of any other line will be rendered unnecessary for many years to come, Ontario will meanwhile be benefited immensely by the concentration of the Hudsons Bay commerce at the one railway entrepot on its own sea coast. Once established there in advance of all others, it will increase from natural and commercial advantages too apparent to need mention.

5th With the addition of the southern section of the railway the best agricultural part of Algoma District will be opened for settlement and a direct line established for the products of Hudsons Bay to reach the unrivalled distributing centre of Sault Ste. Marie, where the best markets for such products exist.

Toronto will also be in direct communication by rail via C. P. R. and will have cheap freight rates via steamers to Owen Sound or other Georgian Bay ports and the connecting railways.

The most prominent advantages to the Province of Ontario from the proposed railway will be,

1st. Access to its now almost unknown sea coast on the second largest sea in the world, by which an immense fishing industry will be developed and concentrated on its territory.

2nd. The utilizing of its most extensive coal (lignite) and mineral deposits, when railway transit renders them of marketable values by traversing the Moose river mineral district.

The Fisheries.

There is abundant occupation for 10,000 fishermen in connection with the fisheries of Hudsons Bay, who would have their families located in Ontario, mainly at the railway terminus, and would send their catch to, and draw their supplies from thence. The waters of the Straits and Bay, which are never closed, being cut off from communication with the Ocean by the Arctic icebergs drift and "pack" at the Button Island entrance, until too late in the season for outside vessels to seasonably enter, the fishing can be only profitably prosecuted from the inside shore, and hence the Ontario railway terminus will command the trade.

Whales abound in Hudsons Bay, as no where else in the world, also walrus and porpoises in vast numbers.

Codfish are found in the Straits in unlimited quantities, as the following extract from a report by an attache of the Gordon Expedition of '84 proves :—

"At the entrance to Ungava Bay, I went out in one of the Neptune's boats along with Mr. Bridge, the second engineer, and enjoyed nearly two hours' most delightful sport. We anchored, and commenced to jigg. The water was very clear, and I could see down some ten or twelve feet. At a depth of ten feet the cod were so thick that the only way I can describe their numbers would be to say that there were millions and millions of them to the acre. We captured nearly four hundred in an hour and twenty minutes; and as our dory would hold no more, we were obliged to stop and return to the ship The skin was worn from my fingers in many places by the process of jigging; but, so exciting was the sport that I did not observe this until it was all over. There are plenty of cod in Hudson Strait . . . In any of the inlets of Ungava Bay a schooner might be loaded in a few days. This fishery is exceedingly valuable, and steps should be taken to protect it."

The salmon fisheries are so extensive that the Hudson Bay Co. at one time fitted up a steamer to take cargoes to England, but the long voyage to Liverpool, and the detention at the Button Island entrance involved too much expense to afford a profit.

Lieutenant Gordon in his reports to the Dominion Government of 1884, 1885 and 1886 of his explorations in Hudsons Bay, mentions the countless numbers of porpoises which he saw along the Coast, estimating that there must have been 10,000 in one "school" he met near the mouth of the Nelson river.

Their presence is proof of the abundance of the small fish upon which they feed, such as herring, pilchards, sprat and other edible fish, which would have a market value, large in the aggregate, when the product was properly handled.

The effect of railway communication upon fishing industries is illustrated by the history of Grimsby on the north sea coast of England.

The town of Grimsby on the north sea coast of England in 1830 had one fishing boat and the number did not materially increase until 1858 when a railway was extended there, and a dock erected for the accommodation of the traffic. The effect was phenomenal. The number of fishing boats increased to over 600, employing 4,000 men, and the yearly product of fish to 50,000 tons, and continues on that scale at this time.

Although 250,000 men are employed in the fisheries of the Caspian Sea and about as many on the North Sea, neither show signs of exhaustion or diminution.

The physical features of those seas are similar to those of Hudson's Bay.

Minerals.

This railway route traverses the most promising central mineral district of Ontario which has been occasionally visited by transient geological scientists who have noted only the surface indications. The advent of a railway with an interest in testing the value of the deposits in a practical way, would no doubt show results similar to those in the Sudbury district which would have been a profitless waste to this day had a railway not passed through it.

The main indications of mineral value are reported as follows:—

Lignite Coal.

This is the only species of coal known to exist in Ontario, and the Missanabie branch of the Moose is the only section where it appears likely to be profitably mined.

Not having been under pressure like anthracite, it shows its woody origin, but nevertheless is a true coal, and if found in a comparatively pure state of a sufficient thickness of seam, can be profitably mined and shipped.

Mr. Borron sank some test pits on Coal Creek, near the Missanabie branch, and gave as his opinion (see Report of 1890, page 63,) that the seams might prove to be 9 feet as the maximum thickness. An analysis is appended shewing the lignite to yield 45.82 per cent of fixed carbon. He found surface indications of the mineral 60 miles apart, but with sufficient beds of the thickness and purity indicated in Mr. Borron's report, it is certain that mining and shipping can be carried on at a profit, especially with the introduction of improved methods of compression reported as successfully introduced in Sweden. No one can foretell to what extent the industry may develop with desirable deposits of the mineral made known over a wide district.

Gypsum.

The Moose River flows through a deposit of gypsum two miles wide, and of which ten feet in thickness is solid and pure, of a light bluish grey color. Dr. Bell remarks that it would not be surprising if salt was found in the rocks associated with these deposits (Ontario Bureau of Mines Report, 1894, page 127). Of the commercial value of this mineral it is difficult to make an estimate. The only deposit on the chain of the Great Lakes at Tawas, Michigan, is reported to employ a large force, and to prove profitable. The covering of the Centennial Buildings at Chicago was made from it.

Kaolin.

Mr. Borron describes a large deposit on the Missanabie about five miles from the coal (lignite) veins or seams.

"It forms an immense bank or mound of beautiful white sand which extends along the river for a mile and rises to a height of not less than one hundred feet".

Mr. Borron, who has had experience in glass making, states that it is greatly superior for that purpose to any obtained in England or Scotland, where the industry is prosecuted so extensively. Brick clay abounds in the region. (Ontario Report 1894, page 128).

Illuminating Products.

Natural gas shows itself in considerable volume at one point called Bubbling Water on the Misanabie branch, and there are indications of petroleum near James Bay, where the Geological formation is favorable to the same. (Ontario Report, page 128).

The accompanying map shows the location of the mineral deposits mentioned, and that the route of the "Soo,' railway to James Bay passes in near proximity to them.

That the industrial value of the minerals of this District is great, there seems no room to doubt, and yet without a railway no benefit can accrue from them.

On the route of this railway north of the C. P. R. not a mile of public road exists.

The branch of the Moose River in the valley of which it is to be located, has been for centuries the most frequented canoe route from James Bay to Lake

Superior. The trip requires ten days going north from Missanabie Station on the C. P. R. and from twenty to twenty-five days to return. Mr. Borron reports twenty-four days as the time he occupied in making the return trip.

Under such conditions no advance in exploration or improvement of the region can be expected.

Resources for Railway Traffic.

First. Bringing the fishery products of Hudsons Bay to Southern markets. To Toronto, Ottawa, and Montreal, by rail via C P. R. To Lower Lake ports by rail to Sault Ste. Marie, and thence by water or rail.

Second. By connection with the C. P. R. as a through Grain line from Winnipeg to Hudsons Bay, and thence to Liverpool, available for about 90 days in each year, by "tramp" freight steamers.

Third. By developing mineral values in the district which can pay for transportation to market via the Lakes.

Fourth Pulp wood, and other minor sources of income, which may be fostered along the route.

The Province of Ontario will Gain.

1*st.* For every mile of the connecting railway 20 miles of sea coast opened to the enterprise of its citizens by access thereto on or from its own territory.

2nd. The penetration of communication through the northern wilderness, to a point of permanent settlement on its north sea shore, which represents an area of 240,000 acres for every mile of railway built north of the C. P R.! (or as to 250—is to 60,000,000.)

3rd. An added value to its lands north of the "height of land", from the opening of the through railway route, of 10 cents per acre on the average would aggregate 6 millions of dollars. Where minerals exist of large extent and value on its reserves, the increase will be clear profit, as the same are worthless under present conditions.

Considering Hudsons Bay as a closed sea, as it is so far as Ontario interests are concerned, no railway has yet been projected of equal length, in Canada, or the United States, or elsewhere, which can add such commercial value to the Commonwealth containing it, as the one now proposed.

If the Provincial Government makes its subsidies in money and lands conditional upon the railway being opened to Hudsons Bay from the C. P. R. at the rate of 100 miles per year after the present one, it will close up the record of the 19th century with the greatest public improvement in the history of the Province.

If it makes no payment until the through route to the Great Sea is a reality, it will run no risk, and the payments will be made only after far greater value is received—in fact, and in public estimation.

MEMORANDUM.

The position of Ontario is unique on this continent in that it possesses the entire northern frontage on the Great Lakes, whereas the southern side of those waters is divided amongst seven of the greatest States of the Union. This explains the unequalled development of Ontario in wealth and population, and that it is the keystone of the arch of the Dominion Confederation, it having multiplied its population over twenty-two times in the last century to the United State's eighteen times.

It also resembles the greatest State of the American Union in the fact that like that, it alone, of all the Provinces touches the lakes on one side and the sea on the other. To this fact New York owes its commercial leadership as it hardly kept pace with its neighboring States until easy transit communication was opened between the two lines of inland lake, and ocean seacoast, when its growth became marvellous. The statesman who grasped the importance of that improvement, and, amid fierce opposition secured State aid to push the enterprise to completion, lived to see it a success, and his name indelibly inscribed on the roll of fame as the greatest benefactor of that State.

Ontario has a similar problem on hand in the fact that it has several hundred miles of coast along the greatest inland salt sea but one, in the world, the immensity of which is difficult to realize. Suffice it to say, that if all the Great Lakes were placed in one mass in the centre of Hudsons Bay the spot could not be seen from it sheres, which with those of the Straits, compass four times as much water area as all the lakes combined. Its coast line, including estuaries, would reach from Port Arthur to Liverpool. A vessel can, in its waters, follow one meridian of longitude without change of course for thirteen hundred miles, or as far as from Montreal to Fort William, following the entire Lake front of Ontario.

This sea is shut out from ocean communication for about nine months of the year by a singular and irresistible force in the shape of Polar icebergs passing near, or into its throat, as its entrance into Davis Straits may be termed. There, a group of islands exist which allow but one passage of the width of forty miles between them, all the others being much narrower Here wind and tide lodge Arctic Sea icebergs, which effectually close the entrance so that the most powerful steamers are utterly unable to force a passage. One observer counted one hundred and eighty of these icebergs of immense size passing down this coast in one day, and experience proves that a certain entrance into Hudsons Bay from the ocean is limited as a rule to the three months from the middle of July to October 15th in each year. This renders the utility of that route as an avenue of commerce very doubtful, and the bruited establishment of ocean steamship lines for regular passage via the Straits a predestined failure.

But the fact exists that Hudsons Bay itself is never closed by ice, and the western section of the Straits is also open early in each year, and that steamers starting out from the south end of James Bay when navigation opens at about the same time as Sault Ste Marie, namely, on or about May 1st., can reach all points on the Bay, and even penetrate to the wonderful cod fisheries in the Straits months before Ocean craft westward bound can pass the Button Islands entrance. *In its phenomena of nature lies a marvellous opportunity for promoting Ontario interests, as matters now stand.* For nearly two decades various projects have been advocated for extending the railway system of Canada to the shores of the Great Canadian Sea. The Dominion Government made a grant of eight millions five hundred and eighty thousand acres of land, and the Province of Manitoba $256,000 in cash for a railway line from Winnipeg to Port Nelson, several

hundred miles north of the coast line of Ontario. This has been practically abandoned after 40 miles were graded in readiness for the rails. Another project has taken its place in the application at this Session of the Dominion Parliament for a charter for a line from Port Churchill almost due west to Calgary at the base of the Rocky Mountains. Its only chance of succeeding is in the absence of Ontario's better route being duly brought to public attention.

The Province of Ontario has had several lines projected through its territory to Hudsons Bay, for which charters were granted, But one of these is now in force and that on the route officially declared by the Provincial Government as the best. See official document of 1879 page 64, in which the following sentence occurs :

"The Sault certainly appears to be the point to which railway enterprise will have to be directed as providing a way to intercourse with North-western Ontario, and the vast territories lying both to the north and west of the boundaries of the Province."

It granted also a subsidy of $3,000 a mile for the first 50 miles of a projected route from Lake Nipissing to James Bay in 1890. No work has been done, however, upon it, and the charter has lapsed. Thus matters stand at this date. Meanwhile the almost illimitable and practically inexhaustible fisheries of Hudsons Bay and Straits are not ultilized except as to whaling carried on by New England enterprise on the North Coast, not a dollar of which comes to Ontario. There are good reasons for asserting that salmon fishing can be developed in Hudsons Bay equal to that which the last ten years have seen start from zero and reach a value of $4,000,000 in British Columbia in 1895. Also, that the cod fisheries of Ungava Bay can be reached from an Ontario port on James Bay far better than from any other point. The following extracts from the notes of one of the experts attached to the Gordon Examining Expeditions sent out by the Dominion Government in 1883-4 and 5, will serve to indicate actual facts in that connection :– "At the entrance to Ungava Bay, I went out in one of the Neptune's boats along with Mr. Bridge, the second engineer, and enjoyed nearly two hours' most delightful sport. We anchored, and commenced to jigg. The water was very clear, and I could see down some ten or twelve feet. At a depth of ten feet the cod were so thick that the only way I can describe their numbers would be to say that there were millions and millions of them to the acre. We captured nearly four hundred in an hour and twenty minutes ; and as our dory would hold no more, we were obliged to stop and return to the ship. The skin was worn from my fingers in many places by the process of jigging ; but so exciting was the sport that I did not observe this until it was all over. There are plenty of cod in Hudson Strait. In any of the inlets of Ungava Bay a schooner might be loaded in a few days. This fishery is exceedingly valuable, and steps should be taken to protect it.

The salmon fisheries are so extensive that the Hudson Bay Co. at one time fitted up a steamer to take cargoes to England, but the long voyage to Liverpool and the detention at the Button Island entrance involved too much expense to afford a profit.

The same deliveries at a railway terminus at James Bay would doubtless have shown satisfactory returns, and led to an enormous increase in that traffic. Especially, as a railway from thence to Sault Ste. Marie leads directly to the best markets on the continent, where the great populations (twenty-seven millions) in the lake region would be eager buyers. The introduction of modern fishing methods used in the North and Caspian seas, where the conditions of water temperature, depth and crustacian food for, and varieties of fish, are almost iden-

tical with those of Hudson's Bay, will beyond doubt lead to a great expansion of the fishery industry. The town of Grimsby, on the north seacoast of England, in 1830 had one fishing boat, and the number did not materially increase until 1858, when a railway was extended there and a dock erected for accommodation of the traffic. The effect was phenomenal. The number of fishing boats increased to over 600 employing 4,000 men, and the yearly product of fish to 50,000 tons, and continues at that scale to this time. Although 250,000 men are employed in the fisheries of the Caspian Sea, and about as many on the North Sea, neither show signs of exhaustion or diminution.

The history of Grimsby's development is sure to be duplicated in the case of a seaport being established on James Bay with a railway connection to Sault Ste. Marie, which is now the greatest focus of shipping in the world, and one of the railway centres of Canada. The projected route will also open up an unsettled and undeveloped territory in Ontario of over fifty thousand square miles, where are known to be vast deposits of iron ores, lignite, gypsum, kaolin, and with reasonable prospects of other valuable minerals being found. Extensive belts of timber of various kinds cover large portions of this region, but like the minerals, are of no value until railway transit is provided for the exit of their products. That the opening of a railway route lengthwise in the District of Algoma, from the lakes to the sea, would be the greatest local industrial achievement in the history of Ontario there can be no doubt. That a wise governmental policy will favor it with material aid, within reasonable limits, is assumed as certain, and in accord with the views of the statesmen now guiding the provincial destinies.

A solution of the problem of how best to promote the public interest in the premises, is suggested as follows:

First. Make the Government cash subsidy heretofore authorized by law, of $3,000 per mile for "colonization railways" contingent upon the opening of the route to Hudson's Bay in advance of any payment. When ready for the rails for the entire distance from the C.P.R. junction to James Bay, 50 per cent. to be paid, and the remainder when track is completed ready for car service. A short time being allowed for the whole being done, or say four years, or at the rate of 100 miles per year after the present one. This would rule out all speculative charters, or dilatory progress. The great object of reaching the sea having then been obtained, two years more can be reasonably allowed to finish the route to Sault Ste. Marie to be constructed by sections, and subsidy earned thereon on completion of each, in the usual way.

Second. Extend the limits named in the Railway Land Grant Subsidy Act, now fixed at ten miles on each side, to twenty miles, and donate say 20 per cent. of such reserve or 5,000 acres per mile, to the railway company to be selected within one year after completion of route, the Government fixing a price on the remaining four-fifths to repay the cash subsidy with interest, or to retire certificates representing the same before maturity.

The Government would then have an active partner with a minor interest, whose energies would be directed to open up all the latent resources to be found in the now useless territory. The opening of the nickel mines by extension of the C.P.R. into the Sudbury District (with a production in 1894 valued at $2,061,120) is a good illustration of what may occur in regard to other minerals in the more northern unexplored regions. A new process has come into use in Sweden, as recently announced, whereby lignite is made to answer all the purposes of more compact coal, and has attained a commercial value, insuring a large output from extensive peat beds.

It is well known from the reports of Professor Bell and Stipendiary Magistrate Borron that a very extensive area of this valuable mineral exists in the Moose River District near James Bay, but no definite knowledge of its boundaries exists. It is not improbable that, with this district opened, Ontario may be largely supplied, thus reducing the necessity for the 2,292,811 tons of coal imported from the United States in one year (1894) at an expense of nearly eight millions of dollars. Large deposits of iron ores are also reported as existing in the Hudson Bay region, but the extent or value of which is unknown.

From all these sources of wealth it is safe to say that the Crown Lands of the Algoma and Nipissing districts of Ontario will be increased in value at least ten millions of dollars by the opening of traffic by railway from the lakes to Hudsons Bay over the "Soo" route, and millions of dollars of annual products will be made available in Ontario that now go to waste.

If the pledge of Government aid for 240 miles (air line) at $3,000 per mile, and $1,000 per mile in land at present free grant valuation—20 cents an acre—will secure that boon without prior governmental outlay, it will be the most advantageous public measure of the kind known in the history of Ontario or of Canada, or of any other governmental railway promoting measure on record.

Mineral Indications.

Ontario Bureau of Mines Report, 1894, page 124, contains the following remarks:

"Lignite outcrops for sixty miles along the Moose River (see location on map). Mr. Borron reports the thickness to be from six to nine feet where examined. A sample brought by Professor Bell in 1875 proved to contain forty-six per cent. of fixed carbon. Under the new process now adopted in Sweden this can be made into merchantable condition for shipment, and provides a satisfactory substitute for a large proportion of the coal now brought into Ontario from the United States."

A very large body of iron ore exists in the Metagami branch of the Moose River. This is reported by Professor Bell, as in one place exposed for 1,000 feet and rising fifteen feet above the level of the river (analysis shows 52.42 per cent. of metallic iron). Mr. Borron found the same twenty miles above the Mamatawa. He says this is the same sort of ore that is worked so largely in England, and forms the basis of her enormous iron industry.

Banks of pure gypsum from ten to twenty feet high, occur on both sides of the Moose River twenty-one miles above Moose Factory. The only place where this mineral has been discovered upon the chain of Great Lakes is near Pawas Bay, Michigan, where the material for the covering of the Centennial Buildings in Chicago were mined. This industry attracted around one mine alone, a population of several thousand people.

On the banks of the Missinaba branch is found an immense deposit of kaolin in its purest state. Mr. Borron, who has had experience in glass making, reports it as superior to anything in England or Scotland.

The Geological Reports on these materials concludes by saying:

"When the extension of population and transportation facilities to this region confer a value upon its minerals, they will be found in quantity and richness, sufficient to form the basis of a large and important industry."

MEMORANDUM.

It is proposed to build from Missanabie or some neighboring point on the line of the C. P. R. to Moose River or its neighborhood on Hudson's Bay a first-class line of railway fully equipped. This line covers 240 miles. It is proposed to continue it from the point of junction on the C. P. R. to Sault Ste. Marie, making a further length of 160 miles, or a railway in all of 400 miles in length.

It is calculated that this line completed and fully equipped would cost in the neighborhood of $27,500 a mile.

This railway would open up a vast amount of territory at present almost absolutely unknown. It would give a considerable quantity of land for agricultural purposes. It would open up the region for mining, timber, possible grain trade, etc. It would enable the mines of lignite, gypsum, kaolin, etc., to be utilized. But, above all, it would enable the inexhaustible supplies of fish, whale, salmon, codfish, and the like, to be brought down from Hudson's Bay and distributed throughout the continent. This line would bring Sault Ste. Marie within 400 miles by rail of Hudson's Bay, which would therefore give a comparatively short run, and a good distributing point for all that portion of the continent.

It is intended, in addition to the building of the railway, to form a company for the purpose of working these fisheries, which would give employment to many in the catching of the fish and in canning establishments. From the best sources of information that can be obtained, the supply of fish in Hudson's Bay would seem to be at least as great and as inexhaustible as is found in the Caspian Sea or the North Sea.

It is submitted that no line of railway that has yet been contemplated in the Province of Ontario will be of greater benefit to it than the Sault Ste. Marie and Hudson's Bay Railway.

In order to give the fullest assurance that the contemplated line shall be indeed built, it is not proposed that there shall be the payment over of any money or the transference of any land to the Company, until the whole of the line from the C. P. R. Junction to Hudson's Bay be graded; when it is asked that one-half of the bonus and of the lands, shall be transferred to the Company. No other portion of money or lands to be received until the whole of this portion of the road be ready and equipped for service.

The same regulations would apply to the section of the line of railway from the C. P. R. Junction to the Sault.

Looking at the difficulties connected with this line, the expense and difficulties of procuring supplies and material, it is thought that it would not be unreasonable that the Government should give a money bonus of $3,000 a mile and a land grant of 5,000 acres a mile of lands of the Province; the lands to be selected by the Company, out of a twenty mile belt on each side of the railway.

At the rate at which the Province is at present giving in this section of the country the choice of land to settlers, which is twenty cents an acre, this land grant would amount in money to only $1,000 a mile. Such a land grant would be but an infinitesimal portion of the lands opened up by the proposed line of railway.

WHAT A RAILROAD TO HUDSON'S BAY MEANS.

1st.

Distances to Liverpool the great market of the world.

From New York	3,130	
Chicago to New York by water	1,500	
	4,630	
Chicago to Liverpool via New York	4,630	miles.
Chicago to the Soo	400	
Soo to H. Bay Moose Ft	400	
Moose Ft. to Liverpool	3,140	
	3,940	
Chicago to Liverpool via H.B. route	3,940	miles.
Minneapolis to Soo	475	
Soo to Ft. Moose	400	
Ft. Moose to Liverpool	3,140	
	4,015	
Minneapolis & St. Paul via H.B. route to Liverpool	4,015	

These figures speak for themselves.

The rail haul from Chicago to Liverpool via this route is 400 miles.

The rail haul from Minneapolis, 550 miles via Duluth & H. B. line.

Can other existing lines compete with this ?

Now, as to the navigation of Hudson Strait, Charles R. Tuttle says: "I have been on the route and have had all the opportunities of judging of its character that others have had, and I say that the only months of the year in which navigation will be obstructed in the Hudson Strait are July and August. Of course the floating ice met with in those months can be easily penetrated by steamers.

There are certain months of winter when the temperature in that region is probably too low for nautical operations, but there will be found to be not less than eight months navigation of the Hudson's Bay route. Navigation free from all kinds of danger and far superior in every way to that of the St. Lawrence.

Dr. Bell, the great geologist, says neither icebergs nor Arctic flees are ever met with in Hudson's Bay, and the only ice found there is that which forms along the shores of the bay and in the rivers emptying into it. In no case does the shore ice extend more than fifteen miles from the land; and aside from this the great body of the bay like the centre of the strait, is open, winter and summer alike. The bay is in every sense of the word, a vast inter-ocean 600 miles wide and nearly 1,000 miles long, with an area of about 500,000 square miles. The basin of Hudson's Bay contains about 3,000.000 square miles, and embraces the largest area of good beef and pork producing lands in the world. It has been estimated that the great area in question is sufficiently productive of the staple foods to yield of then, under proper industrial cultivation, sufficient annually to supply the whole world. When this wonderful expanse of producing soil productive alike of the three great staple foods of mankind has been fully peopled, it will sustain a commerce with the world outside of it, greater than the entire volume of trade of the United Kingdom of Great Britain and Ireland to-day; and

I am justified in saying that at least two-thirds of the carrying trade of that commerce will find a highway over the waters of Hudson's Bay and Strait. The time is not far distant—it will soon be realized—when that which we now hesitatingly call the Hudson's Bay route, will be the greatest artery of commerce in connection with the railways between the great lakes and Pacific ocean on earth. And not only are these statements supported by facts, but the resources of the waters of the bay and strait in economic fishes and oil-bearing animals, will, when developed, sustain a volume of trade to the extent of millions of dollars annually.

Dr. Bell also says he has spent seven years in the Hudson Bay district and goes on to say: "We now come to consider the practicability of the navigation of Hudson's Strait and Bay for the ordinary purpose of commerce. Since Hudson's discovery of the bay, 1609-10, about 730 round voyages (all by sailing ships) have been made into it up to the present year (1885). The ships have belonged to the H B. Co. or been chartered by them, the British and French navies, expeditions of discovery, and American, or other whalers. Out of this large number there have been remarkably few losses, and none at all in the straits. At Moose Fort the arrival and departure of the ships have been noted for the past 146 years to 1885. They show an almost uninterrupted record extending through these long periods. When so much could be accomplished by old-fashioned, slow-sailing ships for the sake of a limited trade in peltries, what may we expect as possible to be done in order to secure the carrying trade of a continent.

The length of the season during which it is possible to navigate Hudson's Strait by steamship is unknown. The whole region is by no means of such an arctic character as is popularly supposed. Moose Fort is south of London so that a great part of the Bay lies in the same latitude as the British Islands. The tides in Hudson Strait rise and fall from 15 to 35 feet, and the tide race runs at from 4 to 10 miles an hour. The water in the Strait is very deep, the centre of the Strait will average from 150 to 200 fathoms. There are no shoals or reefs to render navigation dangerous. The same may be said of fogs and gales. Dr. Bell also states that the land from Lake Superior to Hudson's Bay is good for farming. Coal and minerals abound. Coal oil was discovered and various other things, which would be of incalculable value if this country were opened up. Therefore, a railroad to Hudson's Bay means a new route to Europe several hundred miles shorter than anything in existence; thereby reducing the cost of transportation, and enhancing the value of productions over this vast area of territory contiguous to this route.

What would this Railroad do for Ontario. The country between Soo St. Mary and Hudson's Bay is practicably inaccessible, and the only way it can ever be opened up is by lines of railroad. At this day and age of the world, farmers will not think of going where they cannot have railway facilities, neither will the merchant, the lumberman, or any one except the hunter and trapper. Through this country there is no way of getting timber to market, if there was ever so much, no way of handling coal and minerals, though the earth should be overloaded with it, consequently this vast stretch of country lies dormant where undoubtedly thousands of happy homes will be erected, and thousands of good farms opened up, and many good sized cities built up just as soon as this road is in operation—consequently at the present time this section of country is valueles and will remain so until the road is built through it.

Within the last few years there has been considerable attention given to place before Canada and other countries the, great advantages Algoma possesses for the actual settler, and as her healthful climate and vast possibilities as a

mineral and agricultural country is becoming known to the older parts of Canada and the United States, this is a most opportune time to open up for settlement 5,000,000 acres within 20 miles of this proposed railway. We hear of depression in our industries from a lack of a larger market and of the scant profits in the mercantile business from over competition. We listen to the cry of want because there is no work for the strong arm. Surely this is an opportune time to construct a line of 400 miles of Railway which will give many millions to our industries, and open up a new sphere for overcrowded mercantile pursuits, and furnish an opportunity for the workingman to secure a competency and a home. We hear of the vast millions of dollars locked up in vaults of the United States of America, and if we can succeed in investing $12,000,000.00 in building this road, we can invest twice that amount in other undertakings subsidiary thereto, and possibly a much larger amount in other parts of our Province. If successful in so doing, can any person doubt but that this would bring the return of prosperity to our cities and provinces generally. Opportunity once lost is gone forever.

The construction of this line of railway would cost about $12,000,000, and operating each year about $1,200,000, and if it proved to be financially a success there would be a population of not less than 150,000 people within the railway belt. All of Ontario would benefit from the construction of this road and its operation, as during construction millions of dollars worth of supplies would be purchased in Toronto alone and shipped by water to the Soo. Then, in building up the towns along the way, any amount of machinery, hardware, dry goods, groceries and other lines would be purchased there and shipped *via* the same route. This would give an increased market, and you all remember what increased market meant to Manitoba in 1891 when the population was only 152,000.

The road would not only open the 10,000,000 acres of now worthless land, but would open up the greatest fisheries in the world—those of Hudson's Bay and Strait. Hudson's Bay is about five times as large as the Great Lakes, and codfish, salmon and other fish abound, as Mr. Dawson says, in countless myriads there, and will be of great value to Canada when made accessible by this road. Not only this but large deposits of gold, silver, iron, graphite, ochre, gypsum and mica are known to exist according to Dr. Bell, while the petroleum area is so great as to justify the belief that eventually it will supply the larger part of this continent. The smaller lakes and rivers abound in whitefish and lake trout. *See Statistical Reports 1898, p. 63.*

On the assumption that a railway only opens up country to the extent of about twenty miles on either side, there is not much more than one-sixth of Canada within ordinary reach of railway facilities. Thus far only about eighty miles of railway has been built in the 120,000 square miles of Northern Ontario, which goes to show that without Government aid no railway can be built in any of this new country, as construction and equipment comes high. On the C. P. R. through this country hay alone cost $80 per ton, the price paid by Mr. Conmee a well-known contractor, who had a section on said road. Construction and equipment will cost nearly $12,000,000; the interest on this amount, together with expenses of operating and maintenance and betterment, will run up to the neighborhood of $1,650,000 annually, and the line would pass through an entirely new country, and in order to secure sufficient traffic to meet this annunal expense, the most liberal inducements must be offered, first to the money that will build and operate the road, secondly the Railway Company must be in position to offer the settler and explorer the very best inducements in order to settle up the

country rapidly, and give a large volume of passenger and freight traffic in return. The Province would make millions by giving to this, a practically transcontinental railway, 5,600,000 acres of land including all timber and coal and mineral thereon in alternate tiers of townships free from taxation for twenty years, and then the next tier of townships to the actual settler. By this means, and by the Railway Company doing and circulating a large amount of advertising matter which they would, this stretch of country now known as a vast wild, would very soon be settled up, and where nothing is obtained for the Government at the present time, millions of dollars would flow into the treasury. This strip of land you will see by referring to the map is only 1-25 the area of Ontario, and is scarcely the width of the fore-finger on the new railway map of Canada, and if this can be done it means a grand short highway to Liverpool for the products of the Northern United States and portions of the great west and a new passenger route from the old world to this great unsettled country, and would in all probability mean an increase in population of 150,000 to Ontario, and an increase of several millions of dollars worth of business, and of course an increase in the revenues to the Governments. Cities will be built up on Hudson's shores, containing large storehouses and elevators to hold millions of bushels of grain, and Hudson Bay instead of being a useless expanse of water as now, will soon be bearing the largest ships laden with all kinds of freight to and from the ports of the Old World. There is room for thousands of them, and they will come as soon as there is freight to carry, and the consequence will be that in five years' time this Soo and Hudson Bay Colonization Railway will carry more freight than any other road in existence, and be to Canada a trans-continental highway of the greatest value and the best investment Canada ever entered into.

MEMORANDA.

How Ontario can Secure the Trade of North Western Canada in the Shortest Time, Without Increase of Provincial Budget.

First.—Grant a subsidy of ten sections or 6,400 acres of land per mile of railway, of average quality, but excepting swampy morass known as "muskeg" lands, to be selected in the unsurveyed area of New Ontario benefited by the railway, (reserving to Government the white pine timber standing thereon) under regulations to be adopted by "Orders in Council." To be earned proportionately as each ten miles of railway is completed, ready for car service on the chartered route from Sault Ste. Marie to tide water at or near the mouth of Moose River in the District of Algoma.

Second.—Grant right to buy pine along the said railway route within ten sections in width on each side, at the usual rate of $1.25 per M. payable as taken, within a time limit of ten years from completion of railway.

Third.—Select the parts of the route to be built first by dividing it into four divisions or sections, as follows :—

First Division

To extend from the Canadian Pacific Railway to the head of steamboat navigation on Moose River north of the Long Portage; an air distance of about 114 miles.

Second Division

To extend from the aforesaid steamboat landing to a harbor terminal at, or near, the mouth of Moose River; an air distance of about 122 miles.

Third Division

To extend from the junction of division one with the Canadian Pacific Railway to the Michipicoten mining district at or near Lake Wa-Wa; estimated air line distance about 40 miles.

Fourth Division.

From end of third division to the St. Mary's River at or near Sault Ste. Marie, Ontario; estimated air line distance about 120 miles.

Fourth.—The railway company to be authorized to issue a special series of 3 per cent. 30-year sinking fund coupon debentures to the extent of not exceeding $2,500.00 per mile, with power to retire same on six months' notice by payment of five per cent. premium in addition to par and interest to the holder at any time before maturity.

Fifth.—The Province to underwrite or guarantee said bonds as to principal and interest, under certain conditions and limitations as follows:—

In Respect to Roadways and Telegraph Lines.

(a) When the first division is opened as a stage route for passenger and mail service and equipped with a telegraph line for public use during season of 1899, to extent of $1,000 00 per mile on said division. The stages to be used upon said route are to be spring vehicles, usually to be drawn by four horses, capable of comfortably seating ten persons and conveying with them at least fifty pounds of baggage for each passenger.

(*b*) When the second division is equipped with a telegraph line for public use, and has a road provided for winter stage passenger and mail service, and also at least two steamers to make semi-weekly trips along said division for passenger and mail transit during season of river navigation in the year 1900. And also has at least two steamers employed in a regular semi-monthly mail and passenger service from said division to a deep water terminal at the western end of Chesterfield Inlet or Baker Lake, to connect with a route thence to Great Slave Lake, the Province will guarantee bonds before mentioned to the extent of $1,000 per mile of said second division.

(*c*) The Railway Company also to open a stage road and telegraph line along the third division for public use before close of season of 1899, if the Government shall elect to have the same done and will guarantee bonds to the extent of $1,000 per mile for said division, and notifies the company to that effect, on or before 1st of April next.

In Respect to Railway Construction.

(*d*) During the year 1899 the Railway Company shall submit for approval by the Lieutenant-Governor-in-Council, a profile and lineal survey of the line for a railway through Division One, recommended by it as affording the best route, and within one year thereafter a like survey of Division Two.

(*e*) Upon approval of such surveys by the Council, the company shall build not less than 50 miles of railway thus surveyed, ready for car service, in each calendar year thereafter, commencing at the junction of Division One with the Canadian Pacific Railway, but the Government may require the company to build at the rate of not exceeding one hundred miles in each year, if, in the opinion of the Council, the public interests may require special expediting of the construction work.

(*e*) To aid in the building of Divisions *One* and *Two* the Province is to guarantee the company's sinking fund debentures before mentioned at the rate of $15,000 for each ten mile section of said division so built and completed.

It is also to credit the company as payments to the sinking fund of such debentures all timber dues paid by the latter for white pine cut and removed within the limits before mentioned.

It is also to advance the amount to meet the annual interest on the bonds guaranteed by it until the railway is in operation between the C.P.R. and tide water, so that through traffic can commence therein, less such amounts as may be received from the company for timber dues in the meantime.

(*f*) Upon proof satisfactory to the Council that the timber dues to be paid by the company will exceed the amount necessary for a sinking fund to retire the debentures issued upon Divisions *One* and *Two* any surplus shall be duplicated by a like guarantee of debentures to be issued for construction of the railway line on Divisions *Three* and *Four* to the extent of $25,000 for each ten mile section thereof for the route, surveys of which shall have been approved by the Council. To the extent to which such guarantee may apply in the last mentioned divisions, not less than fifty miles of railway or proportionably thereof shall be built in each year and the remainder within the time limited by the charter. Any roadway debentures to be deducted from railway quota on last mentioned divisions.

(*g*) If the Company decides to utilize electricity as the motive power authorized by its charter, the speed capacity and equipment of its railway shall be at least equal to that of the C.P.R. on the average of the section between Sudbury and Fort William, Ontario, under the inspection of the council or its authorized agent.

(*h*) When the Company fyles in the Provincial Land Office a preliminary plan of its proposed route, all unsold or non-preempted lands within fifteen miles on each side thereof to be withdrawn from entry, until subsidy selections are complete under rules adopted by order in council.

The Company within those limits to have free use of timber for its construction work, with right to acquire such water powers as its engineers may select to furnish power for operating its railway, etc.

(*i*) Upon re-opening the reserve limits for sale or prempted, the Government lands therein shall be valued at double the rates previously fixed for sale or one half in extent for homestead pre-emptions.

(*j*) The council may require a deposit of $25,000.00 with the Provincial Treasurer from the railway company as security for prosecution of the work upon contract terms, to be returned when twenty-five miles of the stage route is made ready for use.

NOTE.—See Charlton & Harvey, Report Hudson's Bay Railway Route (1898); "A New Home Market," etc.

RE THE TORONTO, LINDSAY AND PEMBROKE RAILWAY.

To the Honourable A. S. HARDY,
Attorney-General of the Province of Ontario,
Toronto, Ont.

DEAR SIR: At a meeting of the council of the Board of Trade of the town of Pembroke, held on Monday, March 13th, 1899, the following resolution was moved by Alexander Miller, seconded by Michael Howe, that Sheriff Moffat and Archibald Foster, Esq., be appointed to represent the Board of Trade of this Town, on deputation to wait on your Government to impress the great desirability of granting aid to the proposed Toronto, Lindsay and Pembroke Railway from Golden Lake to Bancroft.

Pembroke, being at the extreme eastern limit of this Province, and communication between Toronto and the west being such as to divert trade from this portion of the Ottawa Valley to other parts of the Dominion, we consider the construction of the proposed link not a local, but a Provincial character.

We are, Honourable Sir, on behalf of the Pembroke Board of Trade,

Yours very truly,

J. L. MARRIS, President,

ANDREW JOHNSTON, Secretary.

THE HONORABLE THE COMMISSIONER OF PUBLIC WORKS FOR ONTARIO, TORONTO.

The Petition of the undersigned humbly sheweth:

1. Your petitioners are applying to be incorporated by Act of Parliament, of the Province of Ontario, under the name of "The Toronto, Lindsay & Pembroke Railway Company."

2. Your petitioners propose to build, equip, maintain and operate a line of railway from a point at or near Golden Lake, in the County of Renfrew, to a point at or near Bancroft, in the County of Hastings.

3. The number of miles of road necessary to build in order to reach Bancroft aforesaid from Golden Lake aforesaid is about fifty.

4. Your petitioners are desirous of obtaining from the Ontario Government a bonus to assist them in building and completing the said line of railway.

5. The tract of country to be especially served and benefited by the construction of the said line of railway, which would actually be a colonization railway, lies to the south-west of the Ottawa River, and covers a very large area.

6. The whole of the said area is almost entirely without railway communication.

7. A very large portion of the country through which said railway would run consists of timber limits, the property of Messrs. McLachlin Bros. and others, on which there is a large quantity of timber and other material, such as ties, telegraph poles, pulp-wood, etc.

8. A large proportion of this timber and other material is likely to become a total loss to the Province, owing to the lack of railway facilities for shipping the same out, and the revenue to the Province from timber dues and the sale of land is now lost or unavailable.

9. A large part of the territory through which this colonization road would run consists of excellent agricultural land, and your petitioners believe that as soon as these lands are cleared of the pine and opened up for settlement they will immediately be taken up, and thus become a source of revenue to the Province.

10. The territory above referred to is amply provided with water power, and thus well suited for manufacturing purposes, but until there are railway and other facilities it would be impossible to induce manufacturers to locate.

11. The several townships through which the proposed railway would pass are now sparsely settled, but a great number and variety of minerals are to be found therein in abundance, and the principal want, in order to have these minerals taken out and a great number of mines developed, is transport facilities, and your petitioners submit that this want would be largely filled by the building of their proposed line of railway.

12. Your petitioners intend making application to the Dominion Government, during the present session, for a bonus or subsidy to aid in the construction of said line of railway, and have reason to believe that such application will be successful.

Your petitioners therefore pray:—

That a bonus at the usual rate per mile may be granted to aid in the construction of a line of railway from a point at or near Golden Lake to a point at or near Bancroft aforesaid, not to exceed fifty miles.

And your petitioners will ever pray,

W. B. Russel.
F. A. Fortin.
J. A. Thibodeau.
R. W. Gordon.
J. G. Forgie.

Dated at Pembroke, 16th March, 1899.

The Honorable William Harty,
Commissioner of Public Works,
Ontario.

Whereas a charter has been granted to the Toronto, Lindsay and Pembroke Railway Company for the construction of a railway from Golden Lake, on the Ottawa, Arnprior and Parry Sound Railway, in the County of Renfrew, to the Village of Bancroft, in the County of Hastings.

And whereas the construction of the said railway will open up an undeveloped country and will be of great benefit to the Province.

And whereas it is desirable that the Province should assist the said railway company in the construction of the said railway.

Your Petitioners therefore pray that your Government may assist the said Company, by way of bonus, in the construction of the said railway.

And your petitioners will ever pray:

Kemp Manufacturing Co., *per* A. E. Kemp.
The Eby, Blain Company (Limited), H. Blain, Vice-President.

John McDonald & Co.
Pure Gold M'fg. Co. (Limited), *per* Alex. Jardine, President.
Warren Bros. & Co.
The Imperial Lumber Co. (Limited), W. A. Warren, Secretary.
John Sloan & Co.
Geo. J. Foy.
Wyld, Grasset & Darling Co. (Limited), Andrew Darling, Vice President.
Adams & Burns.
The Elliott & Co. (Limited), R. W. Elliott, President.
The Toronto Biscuit & Confectionery Co. (Limited), President.
Wm. B. Hamilton.
Sampson, McCuaig & Co.
Robert Watson Co.
McCormick Harvesting Machine Co., P. W. Stanhope, Mgr., cor. Scott and Colborne streets.
Chas. Reid Co., 9 & 11 Wellington street east.
Perkins & Co.
The Copp, Clark Co. (Limited), A. M. Thomas, Secretary.
McKellar & Dallas.
Caulfield, Henderson & Burns.
Asher & Heeson.
Northrop & Lyman Co. (Limited), *per* J. H. McKinnen, Vice-President.
Evans & Sons (Limited), *per* Allan E. Ragg.
J. A. McLaren & Co.
The Toronto Rubber Shoe M'fg. Co. (Limited). R. H. Greeve, Secy-Treas.
William Bryce.
Nerlich & Co.
E. & S. Currie.
W. R. Johnson & Co.
Charles Cockshutt & Co.
The Gutta Percha & Rubber M'fg. Co. of Toronto (Limited), J. Lackey, Treasurer.
The Canadian General Electric Company (Limited), Frederic Nicholl.
The A. R. Williams Machinery Co. (Limited), A. R. Williams, President.
W. G. Chalcraft & Co.
Gordon, MacKay & Co.
Robert Darling & Co.
The W. R. Brock Co. (Limited), James A. Catto, Secy-Treas.
Flett, Loundes & Co. (Limited), Henry Loundes, Vice-President.
Goulding & Sons
Wm. Croft & Sons.
A. A. Allan & Co.
W. E. Sandford M'fg. Co. (Limited), G. C. Hamilton.
The Barber & Ellis Co. (Limited), Jno. F. Ellis, Treasurer.
Per Pro Lever Bros (Limited), Alfred Robinson, General Manager for Canada.
Toronto Type Foundry Co. (Limited), J. T. Johnston, Managing Director.
W. A. Gage Co. (Limited), Jno. Spence, Vice-President.
The M. A. Nelson & Sons Co. (Limited), *per* J. G.
The Merchants Dyeing & Finishing Co. of Toronto (Limited), E. S. Burton, Director.
McMahon, Broadfield & Co.
M. & L. Samuel, Benjamin & Co., F. D. Benjamin.
The Carter-Crume Company, G Ronald, Asst. Secretary.

Jenner, Roxburgh & Co., O. Jenner.
Prime & Rankin.
T. Robertson & Co.
G. W. Torrance.
Jas. Stanbury & Co,
F. J. Watson Sons.
The Cloak M'fg. Co. of Toronto (Limited), A. D. Benjamin, President.
M. & L. Samuel, Benjamin & Co.
Mickleborough, Muldrew & Co.
The Rochester Lamp Co., C. J. Spencer.
E. W. Gillett, *per* D. Dobie, Manager.
The E. B. Eddy Company, *per* T. F. Weldon, Toronto Branch.
A. S. King.
The Mason Bros.
G. A. Weese, *per* G. W. Weese.
F. C. Daniel & Co.
The Monsoon Tea Co., *per pro* R. D. Ross, Atty.

The Honorable WILLIAM HARTY,
Commissioner Public Works,
Ontario.

WHEREAS a Charter has been granted to the Toronto, Lindsay, & Pembroke Railway Company, for the construction of a railway, from Golden Lake, on the Ottawa, Arnprior & Parry Sound Railway, in the County of Renfrew, to the Village of Bancroft, in the County of Hastings.

AND WHEREAS the construction of the said railway, will open up an undeveloped country, and will be of great benefit to the Province.

AND WHEREAS it is desirable that the Province, should assist the said railway Company, in the Construction of the said Railway.

YOUR PETITIONERS THEREFORE PRAY that your Government may assist the said company, by way of Bonus, in the construction of the said railway.

And your petitioners will ever pray :
Thos. Walters, Mayor, Lindsay.
James Graham, County Councillor.
H. R. Frankland, Alderman, Toronto.
R. Bryans, Warden, County Victoria.
Hugh O'Leary, Lindsay.
J. H. Soothern, Lindsay.
Sam. G. Parkin, Lindsay.
J. A. Ellis, Lenechin.
P. Cellede, Ex.-Mayor Lindsay, and P. M. County Victoria.
Thos. Brady, Lindsay.
Jas. H. Seniour, Lindsay.
Geo. Ingle, Lindsay.
John Hore, Lindsay.
G. A. M. Baker, Lindsay.
G. H. Hopkins, Lindsay.
R. Sylvester, Manufacturer, Lindsay.
Walls, Prince & Wilks, Manufacturers, Toronto.
John W. Healey, Toronto.
J. Moran, Broker, Toronto.
W. Arnott Hodgson, Toronto.

The Honorable WILLIAM HARTY,
Commissioner of Public Works,
Ontario.

WHEREAS a Charter has been granted to the Toronto, Lindsay, & Pembroke Railway Company for the construction of a railway, from Golden Lake, on the Ottawa, Arnprior & Parry Sound Railway, in the County of Renfrew, to the Village of Bancroft, in the County of Hastings.

AND WHEREAS the construction of the said railway, will open up an undeveloped country, and will be of great benefit to the Province.

AND WHEREAS it is desirable that the Province, should assist the said Railway Company, in the construction of the said railway.

YOUR PETITIONERS THEREFORE PRAY that your Government may assist the said company, by way of bonus, in the construction of the said railway.

And your petitioners will ever pray:

Jno. Shaw, Mayor of Toronto.
H. A. Frankland, Alderman, Toronto.
John J. Graham, Alderman, Toronto.
R. H. Graham, Alderman, Toronto.
Edward Hanlan.
J. L. Steiner, J.P.
John Russell.

REPORT

OF THE

SECRETARY AND REGISTRAR

OF THE

PROVINCE OF ONTARIO

FOR THE YEAR ENDING THE 31ST DAY OF DECEMBER,

1898.

PRINTED BY ORDER OF

THE LEGISLATIVE ASSEMBLY OF ONTARIO.

TORONTO:
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1899.

REPORT

OF THE

SECRETARY AND REGISTRAR

OF THE

PROVINCE OF ONTARIO

FOR THE YEAR ENDING 31ST DECEMBER, 1898.

To the Honourable Sir Oliver Mowat, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Member of the Queen's Privy Council for Canada and Lieutenant-Governor of the Province of Ontario : —

MAY IT PLEASE YOUR HONOUR :

The undersigned begs respectfully to present to Your Honour the Report prepared with respect to the chief transactions of the Department of the Secretary and Registrar of the Province of Ontario, during the year ending the 31st day of December, 1898.

E. J. DAVIS,

Secretary and Registrar
of the Province of Ontario.

PROVINCIAL SECRETARY'S OFFICE,
TORONTO, 28th March, 1899.

REPORT

OF THE

SECRETARY AND REGISTRAR

OF THE

PROVINCE OF ONTARIO

FOR THE YEAR ENDING THE THIRTY-FIRST DAY OF DECEMBER,

1898.

PROVINCIAL SECRETARY'S DEPARTMENT,

TORONTO, March 28th, 1899.

To the Honourable ELIHU JAMES DAVIS,
Secretary and Registrar of the Province of Ontario.

SIR,—In your last preceding Report reference was made to the unprecedented activity in the formation of mining companies which had marked the latter part of the year 1896 and the whole of the year 1897.

Evidence of this activity was present throughout the earlier portion of 1898. While, as the year progressed, there was a falling off in the number of applications for the incorporation of mining companies, there was an improvement in the number of applications made to the Department for Charters incorporating commercial companies, a fact attributed to returning prosperity.

Prior to the 13th of April, 1897, the Statute in that behalf required that one month's previous notice should be given in THE ONTARIO GAZETTE of an intention to form a company if its proposed capital exceeded the sum of $3,000. As fully ninety-five per centum of the companies were thus compelled to publish notice, a considerable annual sum was derived from that source. When the law was revised in 1897, the existing provisions in this respect were so modified that it became no longer necessary to publish notice, unless some public or private interest was liable to be unfairly prejudiced should notice not be given. By an Order of His Honour the Lieutenant-Governor-in-Council you were vested with necessary discretionary power, the expediency of giving notice being left to your decision upon the merits, as disclosed by the papers when submitted. Results seem to justify the wisdom of repealing the provision respecting the publication of notice,

inasmuch as during the period which has elapsed since the date above mentioned, it has not been found to be in the public interest to require previous notice in respect of a single intended application.

The abolition of the provisions respecting the giving of notice in THE ONTARIO GAZETTE caused, as was anticipated, a falling off in the revenue theretofore derived from that source. This fact was alluded to in your last Report, and it was intimated that the expediency of increasing the Departmental fees for Letters Patent, Supplementary Letters Patent, Licenses, etc., was under consideration. On the 12th of May, 1898, the Lieutenant-Governor-in-Council was pleased to approve of the following Schedule of Fees, a schedule which has been the means of fully restoring the equilibrium, as to receipts from this source, which had been disturbed by no longer requiring the giving of notice:

FOR LETTERS PATENT.

When the capital is $1,000,000 or upwards	$400
When it is $500,000, but less than $1,000,000	250
When it is $200,000, but less than $500,000	200
When it is $100,000, but less than $200,000	150
When it is more than $40,000, but less than $100,000	125
When it is $40,000 or less, but more than $20,000	75
When it is $20,000 or less	50
When the Charter is for a Cheese or Butter Company	10
When the Charter is for an Educational Institution not to be carried on for the purpose or object of gain	10

FOR SUPPLEMENTARY LETTERS PATENT.

Where the capital is increased, the fees to be according to the above list, but on the increase only.	
Where the capital is not increased	50

ORDERS-IN-COUNCIL.

For an Order in-Council changing the name of a Company	25
For an Order-in-Council accepting the surrender of a Charter	50
For an Order-in-Council under R. S. O. chap. 130, s.s. 5 and 6 (Trustees Investment Act)	100
For an Order-in-Council authorizing a Company being accepted by the High Court as a Trusts Company for the purposes of such Court	100

LICENSES.

For Licenses to Extra-Provincial Companies, (a) To hold land; (b) To do business under The Ontario Companies' Act, and (c) To sell mining stocks, etc., the fees to be according to the above list and to be levied according to the capital stock of the respective companies.

The Departmental revenue earned from the grant of Letters Patent of Incorporation, etc., reached the considerable amount of $23,995, by far the largest item of revenue to be found in the general receipts for the year 1898, which amounted to $28,520.12. Had the schedule which came into force on the 12th of May been in operation throughout the year, the total revenue would have been appreciably increased.

The comparative statement of work done in the Department indicates that the revenue for 1898 was somewhat less in amount than that reported for 1897. The difference is easily accounted for by the fact already alluded to, that the unprecedented activity in the formation of mining companies with large capitals, and therefore paying large fees, which marked the year 1897, contributed to producing a total revenue amounting to nearly $40,000. It is, however, anticipated that the revenue to be derived during the current year will show an increase over that of 1898.

The Departmental revenues for the year 1898 were derived from the following sources:

295	Letters Patent, Supplementary Letters Patent, Licenses, etc	$23,995 00
	Marriage Act Forms	2,869 70
76	Commissions appointing Notaries Public	608 00
33	Commissions under the Great Seal	429 00
	Orders-in Council changing the names of Companies	223 00
119	Notarial Certificates	119 00
	Searches, copies, etc	93 42
	Grants	90 00
18	Surrogate Court Certificates	36 00
4	County Court Certificates	10 00
3	Superior Court Certificates	12 00
	Commissions appointing Police Magistrates	35 00
		$28,520 12

The revenue for the year, by months, was as follows:

January	$2,181 00
February	2,030 27
March	2,564 30
April	1,509 70
May	1,991 35
June	2,189 95
July	3,000 20
August	2,200 95
September	1,809 70
October	3,137 55
November	2,811 25
December	3,093 90
	$28,520 12

The Office Register shows that, during 1898, 6,301 new subjects were dealt with, and that, during the same time, 13,317 despatches, letters, telegrams, communications, etc., were received, and 14,394 sent out; and further, that the number of references, reports, etc., made to other Departments was 3,153, and the number of references, reports, etc., received from other Departments, was 3,490. This information is more particularly set forth in the following table:

	Communications, etc., received.	Communications, etc., sent out.	References to other Departments.	References from other Departments
January	1,912	1,561	401	372
February	1,602	1,849	284	376
March	1,172	1,674	326	296
April	931	1,162	281	322
May	944	937	176	197
June	726	541	162	201
July	842	672	148	164
August	590	474	190	174
September	525	848	218	241
October	1,390	1,436	271	312
November	1,421	1,299	284	374
December	1,282	2,415	412	446

During 1898, the following Proclamations were published in The Ontario Gazette:

1. Proclamation, dated the 28th of January, 1898, dissolving the Legislative Assembly of the Province of Ontario, and calling a new Legislative Assembly.

2. Proclamation, dated the 21st day of February, 1898, detaching the Territorial District of Parry Sound from the Provisional Judicial District of Muskoka and Parry Sound, and erecting the same into a separate Provisional Judicial District by the name and description of the Provisional Judicial District of Parry Sound.

3. Proclamation, dated the 21st day of February, 1898, detaching the Territorial District of Rainy River from the Provisional Judicial District of Thunder Bay, and erecting the same into a separate Provisional Judicial District by the name and designation of the Provisional Judicial District of Rainy River.

4. Proclamation, dated the 4th day of May, 1898, annexing to the Town of Sarnia a certain portion of the Township of Sarnia, therein described by metes and bounds.

5. Proclamation, dated the 21st day of July, 1898, convening the Legislative Assembly of the Province of Ontario for the despatch of business on the 3rd day of August.

6. Proclamation, dated the 4th day of August, 1898, by His Excellency the Governor-General, appointing the 29th day of September as the day upon which should be taken a plebiscite to ascertain whether the people of the Province of Ontario were in favour of the passing of an Act prohibiting the importation, manufacture or sale of spirits, wine, beer, ale, cider and all other alcoholic liquors for use as beverages.

7. Proclamation, dated the 10th day of August, 1898, by His Excellency the Governor of the Colony of New Zealand, absolutely prohibiting the introduction into New Zealand of any fruit or other trees, etc., infested with any species of scale insects.

8. Proclamation, dated the 12th day of October, 1898, proroguing the Legislative Assembly.

9. Proclamation, dated the 2nd day of December, 1898, proclaiming the 26th day of December, 1898, and the 2nd day of January, 1899, Public Holidays, the 25th day of December and the 1st day of January falling on Sundays.

Attached to this Report are the following appendices:

I. A Comparative Statement of the work done in the Provincial Secretary's Office during certain years, including 1898.

II. An Alphabetical List of the Letters Patent and Supplementary Letters Patent etc., granted during 1898.

III. A Synopsis of Returns to Addresses and Orders of the House presented to the Legislative Assembly during the Session of 1898.

IV. The Annual Statement of the Deputy Provincial Registrar for 1898.

All of which is respectfully submitted.

G. E. Lumsden,
Assistant Secretary.

APPENDIX I.—Comparative Statement showing the work done in the Provincial Secretary's Office during the years specified

Work done.	1868.	1871.	1875.	1877.	1881.	1886.	1887.	1888.	1890.	1891.	1892.	1893.	1894.	1895.	1896.	1897.	1898.
No. of Fyles, *vide* the Office Register	1,172	1,264	1,862	1,983	2,408	3,575	3,967	4,275	4,684	4,379	5,464	5,330	6,292	5,391	6,279	6,478	6,301
Letters received	2,107	1,690	3,289	3,162	4,162	6,097	9,613	10,626	11,502	12,648	14,109	13,928	14,320	13,754	13,472	11,816	13,317
Letters sent	1,667	1,280	3,326	2,358	3,756	5,734	9,227	13,458	12,882	13,573	15,233	14,761	17,812	13,595	17,385	15,164	14,394
References to other departments	481	912	1,642	1,528	1,790	2,899	2,369	2,948	3,159	3,013	2,670	2,636	2,660	4,014	2,877	2,298	3,153
Reports from other departments	256	470	966	1,232	1,395	2,689	1,786	2,760	3,317	2,685	2,614	2,621	2,616	4,394	3,467	2,679	3,490
Letters Patent of Incorporation	19	24	57	38	119	90	88	117	144	152	158	138	139	174	154	358	255
Supplementary Letters Patent						14	10	19	13	16	21	21	11	14	10	18	18
Circulars	240	60	1,429	891	954	200	250	600	200	500	1,000	150	1,300	350	500	300	
Declarations fyled	33	30															
Warrants *re* lunatics	34	195	160	256	359	594	360	430	382	544	410	396	364	597	368	440	348
Notarial certificates	48	72	37	131	76	93	122	110	127	105	86	108	97	131	113	128	119
Statutory returns	52	58	135	792	2,500	1,000	1,200	1,500	2,500	2,800	2,900	3,000	3,500	4,000	4,500	5,000	5,500
Marriage Act forms, etc., issued			28,422	25,384	27,882	26,254	29,378	29,911	27,934	28,300	28,659	28,965	37,459	27,098	30,945	34,045	28,697
Forms distributed to Sheriff's					1,800	2,000	3,000	3,500	4,200	5,000	5,000	5,000	5,000	5,500	5,000	5,500	5,500
Other printed forms					3,500	3,350	3,200	2,700	200	300	250	500	300	350	350	400	1,000
Commissions: Great and Privy Seals	135	190	139	170	275	227	214	534	400	297	328	305	338	308	185	225	169
Fees received	$1,938	$2,282	$5,688	$5,253	$7,021	$6,947	$7,711	$9,190	$11,075	$9,193	$11,219	$13,204	$12,400	$14,384	$18,847	$39,286	$28,520
Ontario Gazette: Proclamations published		16	21	33	17	13	4	13	11	10	6	6	6	7	6	9	9
Appointments gazetted	110	149	94	460	515	535	613	541	489	468	519	482	497	495	430	401	420
Public notices	47	58	80	36	127	119	121	150	166	179	107	189	163	196	177	400	282

APPENDIX II.

Alphabetical List of Companies incorporated during 1898.

Name of Company.	Date.	Capital.
A		$
The A. D. Fisher Company, Limited	29th March, 1898 ...	40,000
The Addington Horse Association, Limited	14th February, 1898.	2,500
The Adjustable Shower-Bath Equipment and Novelty Company, Limited.	9th April, 1898	24,000
The Advocate Printing Company of Algoma, Limited	13th May, 1898	3,000
The Allcock, Laigh and Westwood Company of Toronto, Limited	20th June, 1898	30,000
The Anderson Fish Company of Victoria Harbour, Limited	17th September, 1898	10,000
The Anchor Knitting Company of Almonte, Limited	9th March, 1898 ..	50,000
The Attercliffe Co-operative Store Company, Limited	11th January, 1898..	2,000
The Avondale Cheese and Butter Company, Limited	29th December, 1897.	3,000
B		
The B. L. Kennedy Company of Toronto	20th January, 1898..	5,000
The Bad Vermillion Gold Company of Ontario, Limited	23rd March, 1898 ...	20,000
The Bailey Cutlery Company of Brantford, Limited	11th August, 1898...	40,000
The Bazaar Company of Toronto, Limited	23rd March, 1898 ...	24,000
The Beatty Manufacturing Company, Limited	27th October, 1898 ..	200,000
The Best Wire Fence Company of Ontario, Limited	30th August, 1898...	50,000
The Black River Creamery Company, Limited	29th January, 1898..	2,000
The Boerth Mining Company of Ontario, Limited	23rd November, 1898	1,250,000
The Bonheur Belle Gold Mining Company of Northwestern Ontario, Limited	27th April, 1898	500,000
The Brantford Club	July, 1898	2,000
The British Lion Gold Mining and Development Company of Ontario, Limited	27th April, 1898	80,000
The Brockville Produce Company, Limited	24th June, 1898.....	100,000
The Brockville Rink Company, Limited	7th December, 1898.	10,000
The Brockville Packing and Provision Company, Limited	15th June, 1898.....	150,000
The Buffalo Northwestern Gold Company of Ontario, Limited	9th April, 1898 ...	1,000,000
The Buffalo Mining and Development Company of Rat Portage, Limited.	2nd December, 1897	1,500,000
The Burgess-Powell Company of Toronto, Limited	31st May, 1898	3,000
C		
The C. H. Mortimer Publishing Company of Toronto, Limited	7th October, 1898 ..	40,000
The Calcutt Brewing and Malting Company of Ashburnham, Limited	9th March, 1898 ...	95,000
The Calder Lake Mining Company of Ontario, Limited	12th January, 1898..	100,000
The Canadian Wheelman Publishing Company, Limited	20th May, 1898	24,000
The Cardinal Electric Light Company, Limited	12th January, 1898..	20,000
The Central American Planting and Trading Company of Toronto, Limited	29th March, 1898 ...	45,000
The Challanger Leather Goods Company of Toronto, Limited	10th March, 1898 ...	2,000
The Chase Brothers Company of Ontario, Limited	14th February, 1898.	10,000
The Chatham Hedge Fence Company, Limited	5th March, 1898 ...	25,000
The Chemical Gold Mining Company of Ontario, Limited	26th August, 1898 ..	1,500,000
The Citizens' Shoe Company of Toronto, Limited	11th August, 1898 ..	20,000
The Clarksburg Wood Rim Company, Limited	4th July, 1898	20,000
The Cloverdale Butter and Cheese Manufacturing Company of Hillier, Limited	14th December, 1898.	2,000
The Clothes-Pressing Company of Toronto, Limited	29th March, 1898 ...	2,000
The Cobb Gold Mining Company of Ontario, Limited	15th June, 1898....	1,500,000
The Cornwall Milling Company, Limited	5th May, 1898	40,000
The Cowan-Ramsay Company, Limited	14th February, 1898.	50,000
The Cuban Products Development Company of Saint Thomas, Limited	16th August, 1898 ..	900,000
D		
The D. W. Karn Company, Limited	20th July, 1898	500,000
The Davies Furniture Company, Limited	15th January, 1898..	20,000
The Dawn Producing Company, Limited	27th October, 1898 ..	45,000
The Decca Mining Company of Ontario, Limited	23rd March, 1898 ...	975,000

APPENDIX II.—Alphabetical List of Companies incorporated.—*Continued.*

Name of Company.	Date.	Capital.
		$
The Desbarats Store Company, Limited	20th December, 1898.	5,000
The Deseronto Iron Company, Limited	27th April, 1898	99,900
The Doctor Ward Company, Limited	27th April, 1898	30,000
The Dodge Manufacturing Company of Toronto, Limited	27th July, 1898	190,000
The Duluth Mining Company of Ontario, Limited	9th April, 1898	30,000
The Dundas Electric Company, Limited	14th October, 1898	40,000
The Dundalk Woollen Mills Company, Limited	29th January, 1898	20,000
The Durham Rubber Company, Limited	September, 1898	99,000
E		
The Elliot and Company, Limited	14th October, 1898	150,000
The Elliott and Son Company, Limited	6th August, 1898	40,000
The Elliott and Brooke Company, Limited	23rd April, 1898	40,000
The E. H. Thomas Company of Norwich, Limited	15th April, 1898	40,000
The Electric Cloth Cutter Company of Toronto, Limited	8th July, 1898	40,000
The Elzevir Mining and Development Company, Limited	11th July, 1898	199,000
F		
The Federal Press Company of Ottawa, Limited	30th September, 1898	20,000
The Fort Erie Racing Association, Limited	24th June, 1898	80,000
The Fort William and Port Arthur Journal Printing Company, Limited	15th June, 1898	10,000
The Fraser Hat, Cap and Fur Manufacturing Company of London, Limited	12th May, 1898	20,000
The Frontenac Lead Mining and Smelting Company, Limited	9th March, 1898	55,000
The Furnituee Manufacturers' Exporting Company of Ontario, Canada, Limited	17th March, 1898	25,000
G		
The G. P. Magann Company, Limited	27th October, 1898	350,000
The G. M. Rose and Sons Company, Limited	27th April, 1898	25,000
The Gall Lumber Company, Limited	5th November, 1898	24,000
The Georgian Bay Navigation Company, Limited	17th June, 1898	20,000
The George B. Meadows Toronto Wire, Iron and Brass Works Company, Limited	14th February, 1898.	20,000
The General Engineering Company of Ontario, Limited	14th February, 1898.	40,000
The Glencoe Oil and Gas Company, Limited	23rd November, 1898	20,000
The Goderich Elevator and Transit Company, Limited	27th May, 1898	150,000
The Golden Dredge Mining Company of London, Canada, Limited	5th March, 1898	80,000
The Gore Lawn Mining and Development Company, Limited	15th January, 1898	20,000
The Graham Tire Company, Limited	14th February, 1898.	40,000
The Grand River Electrical Power Company, Limited	10th December, 1898.	95,000
The Grocers' Manufacturing Company, Limited	5th August, 1898	40,000
The Guelph Linseed Oil Company, Limited	10th March, 1898	50,000
The Guelph Carpet Mills Company, Limited	30th November, 1898	40,000
H		
The Hamilton Stock-Yards Company, Limited	2nd December, 1898.	50,000
The Hamilton Tar Distilling Company, Limited	25th February, 1898.	10,000
The Hamilton Produce Company, Limited	17th November, 1898	20,000
The Hardwood Lumber Company of Toronto, Limited	27th July, 1898	5,000
The Hanover Woollen Mills Company, Limited	12th January, 1898	20,000
The Harding Hall Girls School, Limited	2nd December, 1898	3,000
The Harriston Pork Packing Company, Limited	27th July, 1898	100,000
The Hepworth Manufacturing Company, Limited	29th March, 1898	24,000
The Hooper Company, Limited	11th November, 1898	50,000
The Home and Foreign Securities Company of Ontario, Limited	31st October, 1898	1,000,000
The Hastings Hat and Cap Manufacturing Company of London, Limited.	31st March, 1898	24,000
The Hattie Belle Gold, Copper and Nickel Company of Parry Sound, Limited	11th July, 1898	400,000
The H. A. Christie Company of Ontario, Limited	23rd March, 1898	10,000

APPENDIX II.—Alphabetical List of Companies incorporated.—*Continued.*

Name of Company.	Date.	Capital.
		$
I.		
The Insurance Agency Corporation of Ontario, Limited	9th April, 1898	100,000
J.		
The J. C. Scott Company, Limited	30th March, 1898	60,000
The J. H. Hammill Company of Toronto, Limited	26th August, 1898	40,000
The J. D. Moore Company, Limited	17th February, 1898.	9,000
The J. O. 41 Gold Mining Company of Rainy River, Limited	8th January, 1898.	500,000
The J. R. Stouffer Manufacturing Company, Limited	2nd December, 1898	40,000
The John R. Scott Company, Limited	27th July, 1898	40,000
K.		
The Kalandar and Anglesea Mining and Development Company of Kingston, Limited	9th March, 1898	400,000
The Kendal Trout Preserve Company, Limited	25th February, 1898.	25,000
The Kennedy and Davis Milling Company, Limited	27th July, 1898	40,000
The Kensington Dairy Company, Limited	11th November, 1898	20,000
The Kent Canning Company, Limited	23rd March, 1898	49,000
The King Darrell Produce Company, Limited	17th March, 1898	24,900
The Klondike-Ontario Consolidated Mining Company, Limited	14th February, 1898.	20,000
L.		
The Lake Manitowick Gold Mining and Development Company, Limited	14th October, 1898	999,999
The Lake of the Woods Brewery Company, Limited	22nd June, 1898	40,000
The Lands Corporation of Michipicoton, Limited	14th February, 1898.	20,000
The Lowry and Son, Limited	14th February, 1898.	50,000
The Leadville Mining Company of Toronto, Limited	16th March, 1898	24,000
The London Shoe Company, Limited	24th October, 1898.	150,000
The Lyon Manufacturing Company of Toronto, Limited	3rd June, 1898	10,000
M.		
The Madawaska Club, Limited	12th July, 1898	2,000
The Mackenzie Snyder Company of Toronto, Limited	24th June, 1898	20,000
The Maple Leaf Woollen Mills Company, Limited	—— September, 1898	40,000
The Meaford Cemetery Company, Limited	27th April, 1898	3,000
The Merchants Tailors Manufacturing Company of Toronto, Limited	2nd December, 1898	10,000
The Mercantile Advertising Company of Ontario, Limited	15th April, 1898	24,990
The Midland Elevator Company, Limited	14th February, 1898.	180,000
The Moffat Feed Water Heater and Purifier Company of Woodstock, Limited	14th October, 1898.	40,000
The Mountain Mining Company of Ontario, Limited	12th January, 1898.	499,000
The Municipal and General Securities Company of Toronto, Limited	13th April, 1898	250,000
The Muskoka Beaver Mining Company, Limited	5th March, 1898	490,000
The Muskoka Gold Mining and Developing Company, Limited	10th January, 1898.	99,000
N.		
The National Trust Company of Ontario, Limited	12th August, 1898	2,000,000
The National Cigar Company of Toronto, Limited	24th June, 1898	20,000
The New Sebaskong Gold Mining Company of Ontario, Limited	11th November, 1898	125,000
The Niagara Metallic Furniture Company, Limited	10th March, 1898	24,000
The Nine Little Tailors Company, Limited	11th November, 1898	10,000
The North Bay Supply Company, Limited	17th February, 1898.	24,000
The North Shore Timber Company of Port Arthur, Limited	8th September, 1898	60,000
The Northern Giant Mining Company of Ontario, Limited	29th January, 1898.	400,000

APPENDIX II.—Alphabetical List of Companies incorporated.—*Continued.*

Name of Company.	Date.	Capital.
		$
O.		
The Office Toilet Supply Company of Toronto, Limited	4th November, 1898	20,000
The Olive Gold Mining Company of Seine River, Limited	30th December, 1897.	1,000,000
The Onaping Gold Mining Company of Ontario, Limited	15th June, 1898	490,000
The Ontario Silver Company, Limited	20th May, 1898	150,000
The Ontario Telephone and Switchboard Construction Company, Limited	20th July, 1898	75,000
The Orangeville Athletic Company, Limited	12th May, 1898	1,000
The Oriental Manufacturing Company of Hamilton, Limited	29th June, 1898	5,000
The Oshawa Grain and Produce Company, Limited	26th July, 1898	20,000
The Ottawa Stock Yards and Abattoir Company, Limited	5th November, 1898	50,000
The Ottawa Base Ball Association, Limited	5th August, 1898	10,000
The Ottawa Suburban Water Works Company, Limited	24th June, 1898	90,000
The Ottawa Rowing Club House Company, Limited	6th May, 1898	3,000
The Owen Sound Granolithic Company, Limited	16th July, 1898	24,000
The Ozone Company of Toronto, Limited	5th October, 1898	20,000
P.		
The Palmerston Pork Packing Company, Limited	15th June, 1898	99,990
The Parnell-Dean Steam Baking Company, Limited	5th May, 1898	15,000
The Penetanguishene Driving and Athletic Park Company, Limited	18th August, 1898	3,000
The Pennycuick Glass and Light Corporation of Toronto, Limited	8th October, 1898	40,000
The Peoples Telephone Company of Saint Thomas, Limited	8th July, 1898	60,000
The Peoples Telephone Company of London, Limited	4th July, 1898	100,000
The Peoples Telephone Company of Windsor, Limited	20th May, 1898	25,000
The Pickhardt-Renfrew Company of Ontario, Limited	29th October, 1898	20,000
The Pool and Wilson Company of Toronto, Limited	5th March, 1898	2,000
The Pointe Mouilee Shooting Club, Limited	5th August, 1898	3,000
The Pontiac Mining Company of Ottawa, Limited	10th December, 1898	490,000
The Prismatic Light Company of Ontario, Limited	13th August, 1898	100,000
The Pure Gold Manufacturing Company, Limited	16th May, 1898	175,000
Q.		
The Queen City Granite Company, Limited	26th August, 1898	20,000
The Queen City Specialty Company of Toronto, Limited	26th August, 1898	20,000
The Queen City Storage Company of Ontario, Limited	27th October, 1898	20,000
R.		
The R. McDougall Company, Limited	23rd December, 1897.	30,000
The Rat Portage Cold Storage and Produce Company, Limited	27th July, 1898	50,000
The Renfrew Farmers Hedge and Wire Fence Company, Limited	5th October, 1898	22,000
The Ross building Company of Caledonia, Limited	29th January, 1898	2,000
The Rose Finlay Company of Saint Thomas, Limited	29th March, 1898	24,000
The Rotary Engine Company of Woodstock, Limited	5th March, 1898	24,000
S.		
The S. B. Chandler Dental Depot, Limited	24th November, 1898.	40,000
The S. J. Wilson Lumber Company of Toronto, Limited	18th December, 1897.	24,000
The Safety Bottle and Ink Company, Limited	27th October, 1898	5,000
The Saint Thomas Brass Company Limited	29th July, 1898	25,000
The Saint Thomas Athletic Association, Limited	20th April, 1898	1,000
The Saint Catharines Cold Storage and Forwarding Company, Limited	5th March, 1898	10,000
The Saint Lawrence Blanket Company of Gananoque, Limited	12th January, 1898	10,000
The Sanford Ear-Drum Company of Toronto, Limited	5th October, 1898	20,000
The Saugeen Electric Light and Power Company of Ontario, Limited	15th January, 1898	20,000
The Scottish Colonial Brokerage Company of Toronto, Limited	17th February, 1898.	20,000
The Seneca Gold, Copper and Nickle Mining Company, Limited	31st August, 1898	999,999
The Sentinal Consolidated Gold Mining Company of Ontario	29th April, 1898	250,000

APPENDIX II.—Alphabetical List of Companies.—*Continued.*

Name of Company.	Date.	Capital.
		$
The Sheba Gold Mining and Developing Company of Ontario, Limited...	23rd December, 1898.	495,000
The Silling Furniture Company of Ontario, Limited	24th June, 1898.	20,000
The Skinner Company, Limited	17th August, 1898...	75,000
The Snake River Mining Company. Limited	5th October, 1898..	2,500,000
The Snider Ross Company, Limited	9th March, 1898 ...	24,000
The Social Progress Company, Limited	11th November, 1898	20,000
The Southern Advertising Company of Brantford, Limited...	6th August, 1898...	25,000
The Stayner Industrial Association, Limited	13th May, 1898	3,000
The Standard Paint and Varnish Works Company of Windsor, Limited..	23rd November, 1898	20,000
The Strathroy Furniture Company, Limited	9th April, 1898	49,000
The Strathroy Nursery Company, Limited	14th February, 1898.	20,000
The Stouffville Specialty Manufacturing Company, Limited	5th November, 1898	20,000
The Sun Oil Refining Company of Hamilton, Limited...	11th November, 1898	15,000
The Sauble Falls Ranch and Lumber Company, Limited	14th February, 1898.	75,000
T.		
The T. H. Pratt Company, Limited	28th December, 1898.	40,000
The Temperance Street Theatre Company, Limited	17th November, 1898	5,000
The Thomas Horne Company, Limited	20th May, 1898	20,000
The Thomas W. Bowman and Son Company, Limited	31st May, 1898	10,000
The Toronto Cotton Batting Company, Limited	8th July, 1898. ..	10,000
The Toronto Electric Motor Company, Limited	26th March, 1898 ...	50,000
The Toronto Flower and Feather Company, Limited	30th September, 1898	10,000
The Toronto Grain and Seed Cleaner and Grader Manufacturing Company, Limited	31st May, 1898	40,000
The Toronto Patent Agency, Limited	26th March, 1898 ...	25,000
The Toronto Packing Company, Limited	28th December, 1898.	40,000
The Toronto Poultry and Garden Produce Company, Limited.	25th August, 1898 ..	40,000
The Toronto Smelting Company, Limited	5th March, 1898 ...	99,999
The Toronto Wire Company, Limited	14th February, 1898.	24,000
The Triggs Gold Mining Company of Ontario, Limited	12th January, 1898..	500,000
The Tycoon Mining and Development Company, Limited	12th September, 1898	150,000
U.		
The Union Advertising Company of London, Limited	20th May, 1898	24,900
V.		
The Vankleek Hill Electric Company. Limited	29th March, 1898 ...	15,000
The Vankleek Hill Shoe Company, Limited	29th September, 1898	40,000
The Victoria Financial Company of Toronto, Limited	13th April, 1898	75,000
The Virginia Mining Company of Ontario, Limited	30th August, 1898 ..	100,000
The Voss Mining Company of Ontario, Limited	14th October, 1898..	10,000
W.		
The W. G. Knott Bicycle Company of Brantford, Limited	8th October, 1898..	20,000
The Wallingford Gold Mining Company, Limited.	17th September, 1898	750,000
The Wahnapitae Gold Fields Company, Limited	9th June, 1898	1,250,000
The Wawa Gold Mining Company of Michipicoten. Limited	28th April, 1898	199,000
The Wellings Manufacturing Company of Toronto, Limited	30th September, 1898	20,000
The Wellington Lime Company, Limited	25th February, 1898.	2,000
The Wentworth Growers Canning and Preserving Company, Limited....	20th April, 1898	24,000
The Westminster Mining Company of Ontario, Limited	31st May, 1898	195,000
The Wiarton Tug and Towing Company, Limited	11th November, 1898	2,000
The Wilson Lytle Badgerow Company of Ontario, Limited....	27th October, 1898 .	600,000
The William C. Wilson Company, Limited	5th May, 1898. ...	20,000
The Windsor Yukon Mining Company, Limited	10th March, 1898 ...	45,000
The Windsor Brewing Company, Limited	29th January, 1898..	20,000

APPENDIX II.—Alphabetical List of Companies.—*Concluded.*

Name of Company.	Date.	Capital.
		$
The Wolf Lake Gold Mining Company of Ontario, Limited	9th April, 1898	180,000
The Woodward Medicine Company of Toronto, Limited	27th July, 1898	20,000
The Woodstock Bicycle Manufacturing Company, Limited	29th April, 1898	20,000
Y.		
The Yukon Fur Manufacturing Company of Toronto, Limited	29th March, 1898	20,000
The Yukon-Klondike Co-operative Mining Company of Ontario, Limited.	11th January, 1898	300,000
Z.		
The Zenith Gold Mining Company of Ontario, Limited	9th March, 1898	98,000
The Zryd Gas Machine Company of Hespeler, Limited	9th April, 1899	5,000
Total		35,121,171

INCREASE OF CAPITAL STOCK.

Name of company.	Date.	From.	To.
		$	$
The Duncan Lithographing Company, Limited	29th December, 1897	10,000	45,000
The Garcia Gold Company of London, Limited	3rd June, 1898	50,000	100,000
The Grand Calumet Mining Company of Ottawa, Limited	11th November, 1898	475,000	700,000
The Imperial Hotel Company of Galt, Limited	25th February, 1898	20,000	30,000
The Leamington Electric Light Company, Limited	28th December, 1898	3,000	30,000
The Page Wire Fence Company of Ontario, Limited	14th October, 1898	40,000	100,000
The Preston Gold Mining Company of Seine River, Limited	28th December, 1898	50,000	500,000
The Sarnia Salt Company, Limited	17th November, 1898	20,000	100,000
The South River Lumber Company, Limited	9th April, 1898	45,000	100,000
The Sun Printing Company of Toronto, Limited	25th February, 1898	10,000	30,000
The Toronto Paper Manufacturing Company, Limited	17th June, 1898	250,000	300,000
The Trust and Guarantee Company, Limited	23rd December, 1898	500,000	2,000,000
The Williams-Hurlburt Company of Collingwood, Limited	8th July, 1898	11,000	25,000
The Woodstock Skating and Curling Club, Limited	12th May, 1898	1,720	10,000

EXTENDING POWERS, ETC.

Name of company.	Date.
Canadian Minerals Company, Limited (License)	8th September, 1898.
Canadian Gold Fields, Limited (License)	31st March, 1898.
The Cedar Island Gold Mining Company, Limited	14th Eebruary, 1898.
The Clearwater Gold Mining Company	25th February, 1898.
The Dunnville Natural Gas Company, Limited	14th October, 1898.
Galena Oil Company (License)	8th July, 1898.
J. B. Kleinert Rubber Company (License)	11th January, 1898.
The Joseph Laduc Gold Mining and Development Company of Yukon	29th January, 1898.
The Mississaga River Improvement Company of Thessalon	12th May, 1898.
The Minnehaha Gold Mining and Milling Company of British Columbia, Limited	16th March, 1898.
Ontario Gold Concession, Limited (License)	14th February 1898.
The Preston Gold Mining Company of Seine River, Limited	30th December, 1897.
The Regina (Canada) Gold Mine, Limited	8th January, 1898.
The Trust and Guarantee Company, Limited	25th February, 1898.
The William Jessop and Sons, Limited	27th April, 1898.

APPENDIX III.

Synopsis of Returns to Addresses and Orders of the House presented to the Legislative Assembly during the Session of 1897-98.

No.	Sessional Papers.	Subject.	Mover.
	No.		
1	41	Value of the hogs which died or were slaughtered at the Humber piggery, during July, 1896.	Mr. St. John.
2	44	Expenditure on colonization roads during the last five years, and the Electoral Districts in which such roads are	Mr. Little.
3	46	Petition, reports and correspondence respecting the audit of the books of the Township of Manvers	Mr. Willoughby.
4	47	Correspondence, papers and documents respecting applications for mining concessions similar to those enjoyed by the Engledue Syndicate under agreement with the Government	Mr. St. John.
5	48	Agreement between the Queen Victoria Niagara Falls Park Commissioners and the Niagara Falls Electric Railway Co. for the use of the surplus power of said Co, in the generation of electricity	Mr. German.
6	53	Correspondence and papers in reference to Lot No. 13, Con. 3, Township of Stisted	Mr. Langford.
7	54	Correspondence, etc., in reference to cutting timber under license or trespass on "Coffin Addition"	Mr. Miscampbell.
8	55	Respecting payments to Captain John Sullivan	Mr. Reid (Addington).
9	59	Relating to the dealings of the Moore Lumber Company with the Government	Mr. St. John.
10	62	No. of acres in "farm proper" at Ontario Agricultural College, number of live stock, etc., in 1896	Mr. Haggerty.
11	63	Business done in the High Court of Justice, the County Courts and the Division Courts in 1892-3, 4, 5, and 6	Mr. Marter.
12	65	Cost of Ontario Agricultural College, acreage of property, land under cultivation, expenditure thereon, etc	Mr. Willoughby.
13	66	Respecting operations of Engledue syndicate on locations or concessions granted	Mr. Dickenson.

APPENDIX IV.

PROVINCIAL REGISTRAR'S OFFICE, ONTARIO,

TORONTO, 15th March, 1899.

SIR,—I have the honour to submit for your information a statement of the work done in the Registrar's Branch of the Provincial Secretary's Department from 1st January, 1898, to 31st December, 1898.

I have the honour to be, Sir,
Your obedient servant,

JOHN F. C. USSHER,
Deputy Registrar.

HON. E. J. DAVIS,
Provincial Secretary.

CONDENSED STATEMENT showing the work done in the Provincial Registrar's Office of the Department of the Provincial Secretary for the year 1898.

Documents.	Recorded and compared.	Indexed and compared.
Commissions under Great Seal	109	109
Commissions under Privy Seal	60	60
Commissions of Inquiry	2	2
License Commissions	80	80
Charters of Incorporation	243	243
Special Incorporations	12	12
Supplementary Charters	18	18
Warrants removing lunatics	239	239
Warrants discharging lunatics	91	91
Warrants transferring lunatics	18	18
Provincial Land Surveyors' Certificates	10	10
Crown Land Patents	963	963
Mining leases	463	463
Special deeds and leases	23	23
Certificates of Incorporation, Friendly Societies	78	78
Election writs	102	102
Circulars and letters	400	400

In addition to the foregoing an annual return of all bonds and other securities recorded in this Department is prepared for the Legislative Assembly, and a quarterly return of all the lands is also sent to the Registrars of each County and District in which patents have issued, giving description of land patented, name of patentee, etc., etc., also notice of all cancellations and surrenders of patents.

A large amount of work is also done in searching old records of land patents and records of charters, commissions and other documents registered.

JOHN F. C. USSHER,
Deputy Registrar.

REPORTS

On the operations of The Ontario Gold Concessions, Limited.

Presented to the House by Command.

E. J. DAVIS.

PAPERS *RE* OPERATIONS OF THE ONTARIO GOLD CONCESSIONS, LIMITED.

Memo. for the Commissioner of Crown Lands.

In the matter of the decision of the Ontario Gold Concession, Limited, to abandon the lands in the Rainy River District which the Company had acquired as the assignees of Messrs. James Reid, W. T Engledue and James K. Kerr, the original licensees from the Crown under Licenses of Occupation No. 282, and of the Company's request for refund of the sum of $20,000 deposited by the licensees to the credit of the Commissioners of Crown Lands by way of security for carrying out the terms and conditions of the license, the undersigned have the honor to report :

1. In consideration of the advantage to the Province of such exploration for minerals and investment of capital as was proposed, and of the employment of labor and development of mineral resources as might be expected to result therefrom, and of the deposit of $20,000 as security for performance of the conditions set forth in the instrument, the License of Occupation gave to the licensees from the 17th day of February, 1897, and for three years to be computed from the first day of May next ensuing, due and full permission to enter upon, possess, occupy, use and enjoy for the purpose only of exploration and development of mines, the areas described therein as Block A and Block B respectively, in the District of Rainy River.

2. The licenses were required to expend in exploration, development and mining upon the said lands, and in stripping or in opening up, in sinking shafts or other actual mining operations during the first year beginning first of May not less than $30,000. during the second year not less than $40,000, and during the third year not less than $50,000, and to give proof of such expenditure to the satisfaction of the Commissioner of Crown Lands.

3. The License of Occupation also provided that the sum of $20,000, deposited as security should remain on deposit during the first two years of the term, and that in default of expenditure of the specified amounts in exploration, development of mining during these two years the whole of the deposit should be absolutely forfeited for the uses of the Province, saving that the Department of Crown Lands should apply so much of it as might be required towards payment from time to time of such rents or purchase money as might become payable in respect of the said blocks of land, or either of them, or any portion of them during the term of three years.

4. The License of Occupation further provided that in case the licensees should during the first or second year of the term surrender and yield up one of other or said blocks of land and all right, title and interest therein, one half of the $20,000 on deposit should be refunded to them, or to such person or persons or body corporate as might be entitled thereto.

5. Under date of 4th of February, 1898, The Ontario Gold Concessions, Limited, reported to the Commissioner of Crown Lands, that, having been hindered by unpropitious weather, and by inaccuracy of the geological map in one of the areas, they foresaw that it would not be possible without absolutely wasting money to expend within the first year the whole of the sum required to be expended therein under the provisions of the Licenses, and they asked for the Commissioner's consent to have the unexpended balance brought forward into the next year, within which time they undertook that the whole amount should be expended on the property. The Commissioner agreed to this proposal in view of the circumstances stated by the Company.

6. Under date of September 16th, 1898, the Company notified the Commissioner that they had received the final report of Mr. Alan Sullivan, C.E., manager of exploration work on Block A, that upon his advice they had decided to relinquish their interest in that part of the concession, and they requested that the whole or at least one half of the deposit money should be refunded to them. On October 14th a copy of the final report of Mr. Sullivan was forwarded to the Commissioner.

7. Under date of November 25th, 1898, the Company forwarded to the Commissioner the final report of Mr. T. R. Deacon, C.E , O.L.S., manager of the exploration work on Block B, and informed him of the conclusion reached by the Directors that in the face of Mr. Deacon's report they were compelled to abandon this block also. "It is a matter of great disappointment to the Directors," they stated, "and no doubt to the Government, that the Company's efforts have been fruitless after spending such a large amount of money, some $50,000, of which about $45,000 has been actually spent in Canada."

8. The report of Mr. Sullivan, C.E., on Block A, shows that prospecting work of the first year was begun at the latter end of July, 1897, and continued until the middle of October. The second year's work began on 10th May, 1898, and continued until 7th September, and the entire block having been examined the party was then disbanded. The number of men employed varied from 20 to 25 comprising prospectors, miners, blacksmiths, cooks and surveyors.

The area of the block is as nearly as possible 40,000 acres, of which 7,000 acres is water, 2,000 acres swamp, which is almost impassable when the lake is at summer level, 17,000 acres deeply covered with soil and glacial drift, and only 9,000 acres of good prospecting ground. The swamp area of the interior is described as a morass, destitute of everything save water, moss and small shrub.

The parts of the block not under water are covered with a dense growth of small timber, and to facilitate the exploration of it about 200 linear miles of lines were surveyed. Mr. Sullivan reported discoveries of minerals at 37 different places, none of which were found to possess value when explored and developed by surface work and test pits, and the unvarying barrenness of the quartz and the unkindly nature of the rock in which it lies led him to the conclusion that it was no longer to the company's interest to spend more time and money in looking for profitable deposits upon the area. But while block A is in itself a disappointment, Mr. Sullivan says, it must not be taken as representative of the district, for the north, east and west of it lies a region of undoubted value.

9. In the report of block B, which comprises 18,000 acres Mr. Deacon, C. E., states that from its general geological character it presented a promising field for exploration. Work was commenced upon it on 26th of July 1897, and was carried on until 26th October 1898, when the men were withdrawn. To avoid going over the same ground a second time and to enable the prospectors to make sure of covering all of it, and to facilitate the work of exploration, the whole block was subdivided into areas of about 160 acres, and two men were assigned to the systematic exploration of each lot. Many veins of quartz were discovered, all bearing a percentage of gold and silver, but unfortunately in nearly all cases the amount of gold per ton was too low to make the deposit of value as a mine. Almost all the quartz and other vein matter and the same appearance and general characteristics, being very hard and containing only a low percentage of gold, ranging from $1 to $2 per net ton of ore. This is the only area in the whole western part of the district, Mr Deacon states, where such is the case. Details are given of exploration and development work over the whole area of the block, every acre of which was carefully examined, showing pits, cross-cuttings, shafts, drifts, etc. Upon one location a shaft was carried down to a depth of 145 feet, and at the bottom of it a tunnel was driven 40 feet along the vein, but it was found that the body of ore having a fairly high value was too small to warrant further expenditure. A diamond drill was purchased by the company and numerous bore holes were drilled, their aggregate being nearly 3,000 feet, but no promising discovery was made by this method of exploration. The total expenditure on the block was $24,979 85, and considering the large amount of work done Mr. Deacon regards the cost of it was a very moderate sum. "I consider that this venture," he states in the conclusion of his report, "though so far it has not proved a success, was a fair and reasonable one, and one that any man might have properly gone into. The ground was favorable, the situation was favorable, and all the conditions promising; but, unfortunately, the ore proved of too low grade,—a fact which no man could have foretold would be the case, with all the veins at least."

10. The claim put forward in the reports of Messrs Sullivan and Deacon that systematic and careful exploration has been made is supported by Mr. James A. Bow, Inspector of Mines, who visited the concessions last year, and who in his report for the Bureau of Mines describes the plan and scope of the works carried on under directions of the company's managers. An extract of Mr. Bow's report is appended hereto.

In view of the provisions and conditions of the license of occupation, and of the foregoing short record of exploration and development, what is the situation? Have the licensees fulfilled all requirements and obligations under the terms of the license? Are they entitled to be relieved from further undertaking and expenditure? And have they an equitable claim for a refund of the money deposited with the Commissioner of Crown Lands as security for carrying out the terms and conditions of the license?

Apart from any consideration of encouraging the investment of capital to develop the mineral resources of the Province, the aim of the agreement was to secure thorough exploration of the areas described in the license. The sums to be expended in each of the three years of the term were in their nature arbitary, for, without a better knowledge of the character of the regions to be explored than was possessed either by the Government or the licensees at the time, it was not possible to say what exact amount might be necessary. If the object could be obtained with a less expenditure than the stipulated one, it is reasonable to assume that the conditions would be deemed fulfilled.

It appears to the undersigned, from a careful study of all the papers and reports relating to the matter, that the obligations of the licensees have been discharged, that they are entitled to be relieved from all further requirements for exploration and development of the lands, and that they have an equitable claim for a refund of the money deposited with the Commissioner of Crown Lands as security for carrying out the terms and conditions of the license of occupation when they have verified their statements of expenditure for exploration and development upon the concessions by formal evidence to the satisfaction of the Commissioner.

(Signed) Aubrey White,
Asst. Commissioner Crown Lands.
(Signed) A. Blue,
March 29th, 1899. Director of Mines.

Report of Inspector Bow on Exploration Work.

While in the Lower Seine river country in the latter part of July, I took advantage of an opportunity to visit Block A of the property of the Ontario Gold Concessions, Limited, of London, England, situated north of Red Gut Bay, a northerly extension of Rainy Lake. The nearest point from Fort Francis is 35 miles. The trip was made from the latter place in a small steamer, the Jenny Lind, with 40 feet keel and 8 feet beam, purchased by the company for operations on this block. I arrived there on July 22nd, and spent a day and a half travelling by steamer and canoe and on foot over the concession, examining most points of interest, and acquiring thereby a fairly good idea of the nature of the country included therein.

Before describing the geology or mentioning the "ore bodies" a description of the topographical features will be given, along with an account of the method employed in prospecting, in order that an idea may be obtained of the difficulties to be encountered and the amount of work to be done in exploring such areas in this country.

The total area of this block of the concession is 40 000 acres. Of this, water covers 7,000 acres, swamp or muskeg 7,000; and soil (making it unavailable for prospecting) 17,000, leaving only 9,000 acres of prospecting ground. These figures were obtained from Mr. Sullivan's report to his company. The prospecting ground is scattered in irregular areas over the concession, so that the work of prospecting involves much more travelling than the mere covering of the available ground. The concession is nearly all forest covered, which adds considerably to the difficulties of the work.

Between fifteen and twenty thousand acres have been surveyed into lots of various sizes, according to the character of the country and the closeness with which it deserves investigation, the smallest lots being 10 chains square. Niven's sixth meridian and south base lines are employed as reference lines; every corner post of each lot being marked with reference to both of these, so that by following any survey line to a post the exact position on the property can be found. The cutting out of the lines furnishes well defined boundaries, which allow of operations being confined to one or more lots so that they may be prospected as much as desired. Typographical and geological notes are taken by the chainman as they proceed. A contour of the shore of the whole block has also been made. The surveyors are followed by the prospectors, each block being allotted to three or more of the latter, as the case may be. They cross each lot backward and forward, walking abreast 30 feet apart until the whole has been covered. When a discovery is made all hands stop to strip and examine it. It is reported to the manager in the evening, who decides, after examination, what work shall be done in the way of test-pitting, stripping, etc. Samples are taken and tested for gold; and further samples are sent periodically to Rat Portage for assaying. So far there has been discovered and tested 26 veins and deposits in various parts of the block. Numerous test pits have been

sunk, ranging from three to four to twenty or twenty-five feet in depth. It was intended to test a couple of deposits with the diamond drill, but I understand this idea has been given up. The instructions from the company were, however, to go ahead until the whole block was prospected. The camp, which is all of canvas, consisting of a number of tents, is moved periodically to the centre ef operations. A force of twenty-five prospectors, etc., are employed continuously. Monthly expenses range from $2,500 to $3,000. Mr. Alan Sullivan is manager or "the chief" as he is called, of this block, and Mr. J. D. Shields assistant manager. Work was commenced on July 26th, 1897, suspended for the winter on October 19th, resumed again on May 9th, 1898, and discontinued altogether in October. A reward in proportion to the assay value of the find was offered as an inducement; but after all it was discouragiug work, as it must have been patent to to the men, at least after the first season's work was completed, that the chances of making a valuable discovery was slight. The following is an account of my observations during the short stay I made on the property, Mr. Sullivan having kindly placed his time at my disposal, taking me to all important points of interest:

The first trip was made by steamer to the north end of Porter Inlet. Walking inland along a road for about half a mile over moss and tree covered ground, with very little rock exposure, we came to a formation, probably several hundred feet in width, of a dark colored gneiss (doubtless crystalized green schist of the Keewatin series) associated with eruptive granite. This same species of dark colored crystaline schist is found on other parts of the concession, and is the only rock which in any respect resembles or corresponds to the Keewatin or Huronian schists of other parts of the district. The association of granite is also characteristic; and, as I afterwards found, the rocks, etc., encountered on this short trip proved to be fairly representative of the entire block. The schists appear to be all in very intimate association with the eruptive granite, which, with Laurentian granite, covers by far the greater portion of the block. Felsite dikes are very common in the schist, and the latter in many places is much contorted, showing beautiful folding on a small scale. Another marked feature is the dip of the schists; almost wherever found in other parts of the district this is nearly vertical, never varying more than a few degrees, but here the dip is about 30 degrees. The idea suggested by a consideration of the above facts is that the schists in this portion of the district are possibly the lower or synclinal portions of the fold which are represented by the middle or nearly vertical portions in other parts, all the upper portion having been removed by glacial ice, according to Lawson's theory. The dip and the much greater degree of crystalization would favor this hypothesis. It is a peculiar fact that very little gold has been found in any of the numerous deposits examined in the blocks. This fact, in conjunction with the preceding hypothesis, would suggest a probable limit to the depth of our gold bearing deposits. Of course, as these folds are thousands of feet in height, there would be considerable range in depth for underground operations between the central or nearly vertical outcropping of the schists and the lower portion of the folds. However, the above is nothing more than a mere suggestion, as time allowed only a comparatively limited examination of the block. There is considerable variation in the character of the granite in different parts of the concession; much of it is Laurentian, of course, porphyritic nature, and much of a later age, probably Huronian. Various kinds of dikes are found felsite, and pegmatite being common. In some of the latter the quartz and the felspar were each crystalized out into masses of over a square foot in area. North of Porter Inlet a deposit of graphite was found, of unknown extent, but probably too small to be of any commercial value. I saw a few pieces, some five or six pounds in weight, which must have been 60 or 70 per cent. graphite.

But the objects of vital interest to the operators were the gold deposits, if such they may be called, considering how little gold has been found in them. I visited a number of these, including all that were considered of any possible value. The first visited was north of Porter Inlet. It consisted of a large body of nearly solid quartz, over 30 feet wide at one point, and narrower and mixed with country rock at other points, being traceaable by stripping at intervals for a considerable distance. It was heavily mineralized with leaf iron pyrites and molybdenite. A couple of test pits had been sunk on it, one to a depth of 25 feet, but assays were too low to make the deposit of any value. Another of these bodies was observed on the northern part of the concession. It had

much the same characteristics. A shaft had been sunk 20 feet on it, but assays were too low here also to warrant further work. The country rock adjacent to the former deposit is granite and mica schist, and at the latter schist. In the same part of the concession I was shown a quartz vein about three feet in width, cutting the schists at a distant angle. A test pit had been sunk 17 feet on it. In one or two places I observed rusted bands of schist, resembling fahlbands containing a little quartz. These had been test pitted also. I saw several other deposits, some of which were zones of schist containing a large percentage of quartz and charged with pyrites. These were all test-pitted and stripped more or less, but unfortunately none carried gold in encouraging quantities, and consequently the concession has been abandoned.

Block B of the concessions, situated west of the Lake of the Woods, was visited on August 13. The trip was made on Mr. Deacon's small steamer which plied between Rat Portage and the concession camps. A report of this block explaining this system of prospecting is contained in last year's report of the Bureau, and a repetition of these details is unnecessary. Suffice it to say that the whole block has been prospected according to the methods described. Mr. Deacon informed me that a force of 27 men on an average had been employed throughout the season, work having ceased on October 26th, 1898, and this block has also been abandoned.

The most promising finds have been tested by shaft-sinking, test-pitting and diamond drilling, and numerous small test pits have been sunk on other veins of more or less possible value, besides considerable stripping, which constitutes an essential part of prospecting operations in this district. A diamond drill has been purchased for the concession, and and altogether 3,000 feet of boring done ; six different veins having been tested by one or more holes from 100 to 250 feet in depth. Some good assays were obtained from some of the drill cores, but development work did not sustain these results, and the results on the whole of drill cores, and of samples otherwise taken, were too discouraging to warrant a continuance of operations. The geological conditions of this block differ materially from those of Block A. An examination of the latter, with a knowledge of the assay results obtained and a consideration of the nature of the formation thereof, would give sample reasons for the belief that nothing of economical value would likely be found thereon ; but, as Mr. Deacon intimates in his report, it would be expected from the geological nature of this block that remunerative deposits would be found, as the formations would not differ essentially from those in which working mines exist in the same district. A number of the assays obtained are evidence of the justifiableness of of this expectation. And it cannot be definitely stated that such deposits or veins do not exist, but after the thorough exploration which has been made of the property it does not appear that the chances of finding anything of value are sufficient to warrant further efforts. The total net sum expended in the exploration of the block, as given by Mr. Deacon in his report, is $22,313, after deducting all assets such as diamond drill, etc. And there is no doubt that all expenditures, both for this and for block A, have been made effective use of for the testing of the properties as far as was deemed advisable from appearances.

I visited the Shoal Lake camp only, which is situated in the northern part of the concession, close to Shoal Lake. A convenient dock has been constructed for the steamer, and a good, level waggon road, $\frac{3}{4}$ of a mile in length, extends from it to the camp.

Work was then confined to testing a vein which gave encouraging assays from diamond drill cores by a prospect shaft. The vein outcrops on top of a hill about 40 feet high. It is on the contract between trap and eruptive granite. Tongues of felsite extend from the granite into the trap, and this material is associated in some places with the vein matter. The strike of the vein is nearly east and west, and the dip 66 degrees south. It has been stripped for about 300 feet, showing a range in width of from 2 or 3 to 10 or 12 feet A 5 by 9 foot shaft was being sunk on the vein at the time of my visit ; it was then 125 feet deep, and reading Mr. Deacon's report later I learned that it had been sunk to 245 feet, with 40 feet of drifting from the bottom towards the bore hole. But as appearances were not encouraging work was discontinued. At a depth of 70 feet the vein became flatter, and the shaft was continued in the foot wall, but as, of course, struck again in the drift, as Mr. Deacon informed me.

A hoisting plant has been installed, consisting of a 12-horse power duplex double drum hoister, with kibble and wire cable and a 20-horse power return tubular boiler.

A boarding camp and other small temporary houses had been built, and a force of ten men were employed.

(Signed) J. A. Bow,
Inspector.

REPORT OF EXPLORATION WORK ON BLOCK "A."

The Secretary Ontario Gold Concessions, Limited, London, England:

Dear Sir,—I beg to forward you herewith final report of work done and results obtained on Block "A" of your Concession.

Duration of Work.—Operations began at the latter end of July, 1897, and continued to the middle of October, nothing of value having been found, no mining was done during last winter, and prospecting re-commenced on May 10th, 1898. Some difficulty was then experienced in getting to the ground, owing to the low stage of water in Rainy River, this, however, was slight in the case of your party, as the steam launch "Jennie Lind" had been purchased in anticipation of this event: Prospecting continued during May, June, July and August, and up to the 7th of September last, when the entire Block having been examined, your party left for Rat Portage, and was disbanded.

Employees.—The number of men employed varied from twenty to twenty-five, and comprised prospectors, miners, blacksmiths, cooks and those engaged in survey work. Of the manner in which they discharged their duties I shall speak later. The actual work done on the ground amounted to 3,400 days for one man; being equivalent for one man's labour for ten years.

Surveying.—While the amount of surveying done, about 280 lineal miles, may seem unusually large, the necessity for it must be self-evident.

The greater part of the block, excepting swamp lands, is covered with a dense growth of small timber, and is without natural sub-divisions, such as lakes, streams, etc. In order that the prospectors might know at all times exactly where they were, might keep off one another's ground and intelligently connect the work of one day with that of the days preceding, these lines were run subject to the contour of the shores and the character of the area to be prospected. The survey party composed of six men averaged about two miles of line per day as well as prospecting, a good deal of time being unavoidably spent in going to and returning from work. These lines were not extended into the large expanse of swamp which covered the greater part of the centre of the block, where for miles the ground is nothing but a morass, destitute of anything save water, moss and small scrub.

Area.—The territory covered by Block "A" within the Government delimitation is, as closely as possible, 40,000 acres. Of this, by measurement, 7,000 acres is water; another 7,000 swamp, almost impassable when the lake is at summer level, leaving 26,000 acres not of prospecting ground, but of dry land. Not more than 35 per cent. of this available for prospecting, the remainder being as deeply covered with soil and glacial drift as to put it entirely out of the question. The general sub-division of the Block results thus:

Water	7,000
Swamp	7,000
Soil covered	17,000
Prospecting ground	9,000
	40,000 acres.

It may be asked why six months were occupied in prospecting so small an area as 9,000 acres, to which I would say, that the exposures of rock are scattered irregularly all over the block, following no general course or direction, thus necessitating the exploiting of ground, good, bad or indifferent.

Geology.—It is with some hesitation that I approach this subject, being compelled to express myself as widely at variance with most preconceived ideas of the geological condition existing here. A glance at the accompanying map, compiled with the greatest care, and embodying the work of two seasons, will explain my situation. The large

wedge of Huronian rocks marked on the Government map as dividing the block is conspicuous by its absence.

Where Schistose rocks do occur, they appear to me to come under the classification of the "Couchiching" and intermediate family between the Laurentian and Huronian, and composed of mica, schists and fine grey gneiss, very often highly silicious.

The assumption that these rocks do comprise the Couchiching and not the Huronian is most reasonable, for this series is peculiar to the district in which our work lay, so much so that the local name has been given to it from a town in the vicinity. Time has not afforded to make a microscopical examination of their nature, but they appear to answer this classification most completely.

In corroboration of this I quote the geological report of Prof. Coleman for 1895. "Nor does it seem advisable to change the well-known Canadian name of Huronian, although some of the rocks overlying the so-called Laurentian are perhaps older than the typical Huronian, e.g., the Couchiching mica schists and gneisses of Lawson."—See 5th Report of Bureau of Mines, 1895, page 94. We also find the sedimentary rocks mentioned in the context of this as forming part of the Couchiching series. In this respect I might add that I do not know of any deposits of value occuring in this district in the Couchiching at present under development. We have not been able to find any large bodies as indicated of true Huronian, such as hornblende or chloritic schists, greenstones, traps, etc. The block seems to have been an upflow of granite at a more recent age than that of the existing Schistose rocks; the centre of this upflow was probably that of the block itself, and the edges of the eruptive area are paralleled by bands of highly oxidized and silicious schists and gneisses. These, with one exception, that with the dyke on Porter Inlet, are so disturbed and folded as to preclude the hope of finding ore bodies of any depth or continuity. The contacts (where in general the most valuable ore bodies are found) are on Block "A," the gradual and most insensible merging of one class of rock into another, an not as often elsewhere the actual physical contact between them. Thus, whereas a clean contact may cover a width of six inches, with us it is generally one of several hundred feet, and it is impossible to say where one begins and the other ends.

The geological feature of this report is perhaps the one of great importance, for had we found the characterestics of Block "A," in any degree resembling those which we reasonably assumed to exist, this would not probably be a final report.

Your Board will doubtless remember last summer I called their attention to some of the above points, being most anxious that they should know the exact condition of things out here, and the decrepancies discovered in the existing maps. One of the accompanying maps is on the same scale as that issued by the Ontario Government, this for comparative purposes as I presume your Board will wish to forward it to the Department. As I understand it the Ontario Government does not go into geological data, but copies them from the charts of the Department Survey at Ottawa, a Dominion branch of the Civil Service.

In thus expressing an opinion at variance, with that of those who collected the original geological data of this region, I do not wish to be taken as putting my knowledge of the subject as superior to theirs. All whose business lies in this direction know of the admirable work done by the Geological Survey, of the limited time at their disposal and the enormous areas they exploited; but the shore line of Block A. is no criterion of its interior and I am satisfied that any subsequent examination of the region will amply corroborate the foregoing statements as its geology.

Discoveries and Tests.—In view of the above your Board will the better understand how it is that our efforts have met with what certainly is but small success.

The large blue print exhibits the location of each vein found, and it will be noted that with few exceptions they occur along the bands of schistese rocks already referred to.

To give an idea of the unpromising nature of the quartz, out of the innumerable pannings made from these deposits in only two have I discovered any gold, and in each case so faint as to be only visible under a powerful glass. This is not a satisfactory state of affairs. The test pits on these veins gave no promise of improvement, while in most of them the walls are of an irregular nature and in all cases save one, they are bedded or

gash veins, running with the strike of the country rock. I append a list in case you wish for detail.

When the term "Iron Band" is employed it will be understood to mean a deposit of a highly silicious nature, much oxidized on the surface, carrying large quantities of iron pyrites, generally some magnetite or pyrrhotite and occasionally copper pyrites and malybdenite. These bands are of considerable magnitude and traceable long distances, and lie either in the Mica Schists or along the edge of the erruptive granite. When tested to a depth of fifteen or twenty feet, the quartz with one exception has become extremely coarse, and mixed with large cubes of base metal and disseminated particles of country rock.

The occurrence of graphite noted below is not unusual in the Laurentian; the mineral averages in value $10.00 per ton in Ontario, but at present the market is limited, supply exceeding demand. The size of the deposit, however, remains to be proven.

1. Mass of decomposed quartz lying in granite with fragmentary Schist. Sank test pit about 6 feet deep, about 5 feet wide. Traceable about 75 feet. Did not pan, and no assay value.

2. Iron band six feet wide, very hard and extremely magnetic, traceable about 200 feet; test pit, with no result.

3. Small quartz vein about parallel to No. 2, 3 feet wide; no assay value.

4. Small irregular vein about 10 inches wide surface; value, 4 dwt. in Mica Schist. Put in short adit and sunk test pit; vein cut out entirely, not traceable over 25 feet.

5 and 6. Two strong Iron bands parallel and about 100 feet apart; sunk test pits 8 and 12 feet; quartz became very coarse and sulphurous; did not pan, and no assay value.

7. Cross-cut and stripping on continuation of No. 8.

8. Large Iron band traceable about three-quarters of a mile, about 30 feet wide on top of ridge, 500 feet from and 200 feet above water; test pit 20 feet deep. Quartz gradually being replaced by highly mineralized country rock, occurring in large streaks and lenses.

9. Small lense of bluish white quartz, from 3 inches to 10 inches wide. in ledge of Mica Schists. The first panning showed a few colours, but assays gave no result; vein pinched out about 5 feet from surface; evidently a small disconnected gash.

10 and 11. Small irregular veins in Mica Schist, traceable a very short distance, at a depth of about 5 feet; the quartz was almost entirely replaced by feldspar.

12. Surface deposit of white quartz, 20 feet square, but had no depth, a cross-cut showing country rock all the way across.

13. Vein of blue-grey quartz, well mineralized, lying along ridge of Mica Schist, traceable only about 30 feet and dipping into soil-covered valley; surface with about 4 feet; test pit about 17 feet deep; quartz narrowed to 1 foot and repeated pannings and assays gave no value.

14. Iron band very heavily mineralized; a few surface shots gave no result.

15. True fissure vein about 5 feet wide in Mica Schist and traceable about 50 feet, then soil-covered; quartz greenish white, but carrying very little mineral; does not pan; test pit about 15 feet deep; the quartz maintains its width, but without mineralization. This is the only example of true fissuring so far found on the Block.

16. Small white quartz body in granite; one shot penetrated to bottom.

17. Large mass of pinkish white quartz on water's edge without mineral, lying in granite; surface shot without result.

18. Small vein paralleling Iron band, lying between granite and and altered schist, coarse pink quartz, and traceable only about 50 feet; put in a few shots, but without exposing anything satisfactory, and got no values.

19. Bended vein of pegmatite in granite. As pegmatite is often found carrying rare minerals, this was opened up to investigate its value and small amount of rock taken out, but without result.

20. Small vein of quartz on top of Mica Schist ridge; exposed on side hill for vertical distance of 20 feet; vein from $1\frac{1}{2}$ to $2\frac{1}{2}$ feet wide; quartz much mixed with spar and without value.

21. Fairly strong deposit of banded quartz and talc; about 6 feet wide; at 10 feet deep the quartz was almost replaced by Talc Schist which slimed in the pan and carried no gold

22. Cropping of Iron band highly silicious; two surface shots without satisfactory showing.

23 and 24. Vein of clean-looking quartz, but much broken up and lying near junction of granites and schists; about 2 feet wide and submerged at high water; one panning shewed trace of gold, but subsequent tests and assays were disappointing; very lightly mineralized and without definite walls.

25, 26 and 27. Small surface test pits, to test iron bands, evidently continuation of 23 and 24.

28 and 28. A. B. C. Shaft, test pits and cross cuts on large dyke; this find we consider the most important on the Concession; it lies along the Northern edge of the belt of Couchching marked on the Geological map and is evidenced by a cropping of quartz from 30 to 50 feet wide; the most easterly of the test pits 28 A. exposed 6 feet of graphite overlying the quartz, a body of evident strength and solidity, the tests pits 28 B. and C. shew dyke continued, also overlaid with graphite; but here the latter is disseminated through the country rock and is not in mass as at 28 A.

At 28 the shaft is down about 20 feet and a cross cut run through the surface cropping shewing quartz for the same lateral distance.

The quartz in the shaft changed much for the better as it was being sunk and looks well in the bottom. There was a good deal of molybdenite on the surface which is now disappearing; this deposit is what I take to be a continuation from 23 and 24.

The values by assay were 2.4 dwt. and 1.4 dwt. per ton (1 dwt.-$1.00) and until this body has been tested by the drill, it will be impossible to pronounce upon its value.

It is certainly the most promising of all the quartz deposits discovered and in thoroughly testing it, I consider your Board would get most definite and reliable information, which would apply equally well to all the Iron bands on the Block.

This may make a mine and until it is exploited by the drill, I do not consider the possibilities of the Block have been fully tested. An alternative would be continuing the shaft to 50 feet which could be done very easily by contract at a cost of about $600 which I advise as a preliminary.

29. Isolated mass of bluish grey quartz apparently surface deposit; without depth or strike; no values.

30 and 31. Surface cross cut through soil; 2 to 5 feet deep; 100 to 150 feet long; these made across the ridge where cropping of silicious matter had been found, but without result.

32. Float quartz discovered here but test pit 6 feet deep did not disclose any vein.

33. Greyish white compact quartz vein on edge of Granite ridge—5 feet wide, traceable 75 feet; three shots disclosed disseminated granite throughout; deposit evidently with irregular walls and structure.

34. Bedded vein of pinkish white quartz, very little mineral, partly submerged at high water, overlaid by folded Schists. A good deal of surface work done here but deposit not traceable; frequent panningg give no gold; vein of varying width; 2½ feet at most; much disturbance of country rock.

35. Small and very irregular vein lying along edge of Schistose ridge: two small pits; did not pan and gave no assay value.

36. Isolated lens of whitish grey quartz at foot of same ridge, without walls; quartz gradually merged into country rock.

37. Quartz cropping on summit of Mica Schist ridge, not traceable and without defined walls; two shots shewed that it did not warrant further attention.

This concludes the statement of surface work and test pits. The dyke being the only ore body which calls for investigation.

In General.—In conclusion I would say that while it is impossible either to state or prove that there is no profitable deposit in Block A, it is without question no longer to your Company's interest to spend further time or money in looking for one. The unvarying barrenness of the quartz discovered and the unkindly nature of the rock in which it lies, force me to this opinion. The responsibility thus undertaken is great, and I fully appreciate the effect it will have on those unacquainted with the District; but there is an equal responsibility in incurring unjustifiable expenditure and in raising hopes only to dash them to the ground again.

The available prospecting area has been thoroughly examined, and I do not know of any instance in which work of a similar kind has been done so systematically and on so large a scale.

While Block A. is in itself a disappointment, it must not be taken as representative of the District in which it is, for to the north, east and west of us lies a region of undoubted value, in operating which, due regard for the economics of mining is bound to meet with success. If it comes within my province as your local manager to make a suggestion I feel assured that a representative to the Ontario Government of the actual facts and figures resulting from our work will meet with their earnest attention. This part of the Province is looked to for large developments in the near future, to facilitate which the Legislature is making generous appropriations for railways and general improvements, and work as thorough and scientific as that done by your Company on Block A. will not be allowed to pass unheeded. The widespread criticism aroused by the granting of this Concession has now practically disappeared, as our critics begin to see that it was the best possible mode of testing the resources of the District.

Finally, I wish to record my complete satisfaction with the manner in which your employees out here have done their work. It has been a season of discomfort and no little hardship, but every call on their strength and endurance has been cheerfully met, and from Mr. J. D. Shields, who has proven himself a most valuable assistant, down to the last prospector, your Company need not ask for a better crew of men.

(Signed) Alan Sullivan, M.E.

Report of Exploration Work on Block "B"

The Secretary Ontario Gold Concessions, Limited, London, England :

Dear Sir,—In compliance with your request of the 18th October and previous cable, I have to submit the following report of work done on Block "B" of this Company's Concessions from the Government of the Province of Ontario.

Block "B" is situated on the western shore of the Lake of the Woods, near the western boundary of the Province of Ontario, and lies between a body of water called Shoal Lake, about twenty miles long by six to eight miles wide, and the main body of the Lake of the Woods. The Block comprises about 18,000 acres of land, and from its general geological character presented a promising field for exploration. It has been found by experience in this District that, almost without exception, every vein which has proved permanent and of a paying nature has been located in or near the contact of granite, which is, of course, an intrusive rock, with some of the older formations.

Work was begun on the 26th of July, 1897, and in order to facilitate the work of exploration, and to enable the prospectors to be sure of going over all the ground, and to avoid going over the same ground twice, the whole Block was sub-divided into areas of about 160 acres each, and two men were assigned to the systematic exploration of each lot. The plans of this sub-division, which you already have, show clearly the method of division. As it was an object to ascertain as quickly as possible the location of the best veins, those parts of the Block which were considered the most promising, from the information then in our possession, were attacked first. The whole of the Block is covered with timber, in some places quite heavy, in other places a growth of small timber four or five inches in diameter, poplar, birch, spruce, pine, &c. Many veins of quartz were discovered, all bearing a percentage of gold and silver, but, unfortunately, in nearly all cases the amount of gold per ton was too low to make the deposit of value as a mine. A peculiarity of all the deposits on this peninsula was their striking resemblance to each other. Almost all the quartz and other vein matter had the same appearance and general characteristics, being very hard and containing only a low percentage of gold, from $1.00 to $2.00 per ton of 2,000 lbs. I do not know of any similar area in the whole western part of the district where such is the case, and I am well acquainted with the whole district, having been travelling over it on professional work continuously for the last six years. There are lots of barren veins, but among these will almost always be found veins which, though they may not prove permanent, at least yield very rich specimens. Throughout this peninsula this is not the case.

Particulars of the principal discoveries are as follows :

On lot 15, range B, outcrop 3 feet wide, 80 feet long, showed iron pyrites and silicate of copper, assayed $1.80 per ton gold ; sunk test pit 10 feet, quartz played out completely. Of no promise. Three shows of quartz on lot 16, Range B, test pits sunk on each to depth of 8 to 10 feet, assayed $1.20, quartz became scattered and replaced by country rock. Would not warrant any more work. On Lot 15, Range C, test pit sunk 5 feet, quartz poor in appearance and assay only a trace. Not considered of value. Three large outcrops on Lot 17, Range D, North of Reid Lake, looked fairly well on surface, but no assay went over $2.00, and quartz became badly mixed with slate at a depth of 8 or 10 feet. Test pits sunk on each. Would not justify further work and were abandoned. A reference to the plan sent you on December 7th, 1897, will show you where all these deposits are situated. They are marked thus " ....." Three outcrops were also found on location J. C. 53, North of Mason Lake, and test pits were also sunk on these, one to a depth of 20 feet, one to a depth of 12 feet, and one to a depth of 5 feet. The best assay from these was $2.40. The quartz has a glassy appearance and the veins did not appear to have continuity. Two veins were found on Mc. P. 39, north west of Mason Lake. On one a test pit was put down 10 feet and the other about 8 feet. Assays $1.20. Veins became much broken up and were abandoned. On J.C. 46, three different outcrops were discovered and test pits sunk to a depth of from 8 to 10 feet. Assays run from trace only to $2 00. Quartz of a very glassy character and did not warrant any more work on them and were abandoned. On D, 525, a large outcrop was discovered of fairly good looking quartz, but a number of assays gave only a trace of gold. A small amount of work was done, but as the quartz seemed to carry no gold, work was discontinued. On D 526, a test pit was also put down some 7 or 8 feet and some stripping done, but the assay value was only $1.00, and the vein presented a poor appearance and was not further developed. On D. 407, a good looking outcrop occurred, which assayed $1.20 on the surface, and on this a shaft was sunk to a depth of 50 feet. The best assay obtained was $5 00, but as the vein became badly broken up and the average assay was only from $1.00 to $2 00. The work was stopped at 50 feet and nothing further done. On J.C. 57, D. 374, and D. 375, outcrops were discovered and test pits sunk, and stripping done, but the assay value of all these was low and the veins not promising. On M H. 42, three veins were discovered, two of these being in a contact between granite and trap and presenting a most favorable appearance on the surface. The quartz and other vein matter, however, was exceedingly hard, and a contract was let at $24 50 per foot for a shaft of 50 feet in depth, and though this was a high price, I do not think the contractor made any profit. In order to test these veins more rapidly and cheaply, a Diamond Drill, boring a core $\frac{1}{8}$ of an inch in diameter, was purchased in Chicago and put to work. On each of the three veins holes were bored with the Diamond Drill and samples taken. The sketches furnished you from time to time show the manner in which these holes were bored. On the most northerly vein the Diamond Drill showed that the vein did not go down to a depth of 100 feet. On the second vein on which the shaft was sunk, two holes were bored. The vein was first cut at a depth of 150 feet and assays from the core gave $3 00, $16 00, $25 00, $35 00 and $59.00 to the ton. These assays were made personally by Mr. Theo. Briedenback, Manager of the Mikado Mine, in my presence, who strongly advised the further sinking of the shaft. A second hole was then bored to cut the vein at a depth of 250 feet, and at this depth the vein was 8 feet wide, but the assays at that point were much lower, being $16 00, $3 00, $3.00, $4 50, $3 00 and $1.50. However, as the vein had widened out from 2 feet 6 inches to 8 feet, it was thought that we might have touched a very lean spot and sinking was recommenced. A small steam hoisting outfit was purchased and placed to work, a shaft house was built and a log house for the men to live in, also a blacksmith's shop The shaft was carried down to a depth of 145 feet through exceptionally hard rock, and from this point a drift was started along the vein. The drift was carried eastward along the vein towards the bore hole (which was 80 feet distant) about 40 feet. The character of the vein matter proved to be of a not very encouraging nature, being very hard and refractory and containing only a low average percentage of gold. The conclusion which I reached was that the body of ore having a fairly high value was too small to warrant any further expenditure and work was stopped and the men withdrawn on the 19th of October of this year On

the third vein on this location, which is also in a contact, four holes were bored and the vein about 3 feet wide cut in each place, but to a depth of 100 feet showed no increase in value above $2.00, and no development work was done. On M. H. 7 a considrable outcrop of quartz and other vein matter occurs, on which a few days' work was done, but the quartz is poor and barren looking and would not justify any further work. On M.H. 179 a vein 5 feet wide and 300 feet long was discovered and traced at intervals for over half a mile, showing up in location D. 417. The surface assays at different points, where test pits were sunk, averaged about $1.20. Two holes were bored in this vein with a Diamond Drill. One to cut it at 100 feet and one to cut it at 200 feet. The assay value at 100 feet was $2.00, and at 200 showed no increase in value, and the bore holes also showed that the vein was cutting out and being replaced by talc which carried no gold. No further work was therefore done on this vein. On the same location there is also an outcrop of quartz and vein matter on the shore of Partridge Lake, which, however, is of little promise and no work was done on it. On M.H. 52 and M.H. 51 several veins of quartz occurred, but they were all of a more or less glassy appearance and had little depth, playing out at from 10 to 15 feet. Test pits were of course sunk at all likely places, and one assay from a deposit near the east end of M.H. 51 gave $3 00. On Lot 20, Range E, a curious narrow vein of quartz, 8 inches thick and lying nearly horizontal, was discovered, which is quite rich, showing a large amount in the pan each time a panning was made, and pieces which showed no visible gold assayed $71.00 to the ton. A tunnel was driven in on this about 27 to 30 feet, but there did not seem to be enough of it to make it pay to work it. However, it might stand a little more investigation, but I hardly think it will prove large enough to pay, as it is only a couple of hundred feet long. On Lot 20, Range D, a large vein of quartz and quartzite was discovered, showing some fine grains of visible gold on the surface. The vein was 11 feet wide and traceable for several hundred feet. The ground here is densely covered with hazel and other small tough bushes, and rendered prospecting extremely difficult. If this place was burned over it would be worth examining again, but this summer was so wet that lightning would not set the bush on fire where it struck, as it often does. A hole was bored on this vein with the diamond drill to test it to a depth of 200 feet. The vein was cut all right at that depth, but showed no increase in value in gold, but contained about $4 00 of silver. A test pit had been sunk to a depth of 15 feet, but after the bore hole was put down no further work was done on it. Some other small shows were found in this locality, but proved of no consequence.

On the big point of the south-east extremity of the Concession, Lot 24, Range "B," a large vein exists (which in previous letters I have called the Indian vein). It is from five to six feet wide, and shows up for 300 or 400 feet. The vein matter is quartz. and contains galena and copper and iron pyrites, and on this vein three test pits have been sunk about 160 feet apart, to a depth of about 10 feet each. The assay from the most easterly test pit was $5.60, and from the others an average of $2.60.

During the month of September of this year I placed the drill upon this vein, and bored a hole to cut the vein at a vertical depth of 190 feet. We succeeded in cutting the vein, but, as I apprehended would be the case, where the vein did not occur close to a granite contact, the quartz was replaced in the vein by valcose schist carrying only about $1.00 per ton. The assays of this core were checked by you in London, and agreed with my result here.

On Lot 9, Range A, close to the west end of the Monument Bay of the Lake of the Woods, a small vein was discovered, upon which a test pit was sunk but the ore was not of sufficient value to warrant doing any work on it beyond a few shots. On the 1st of October the work of exploring the last part of the Block, which was the north-west quarter, was commenced, and from a geological standpoint, this was as favourable a locality and as encouraging as any part of the Block. I felt sure, as did also the men, that among the numerous changes of formation which exists here we would surely find some good veins Along the Lake shore and extending back about 300 yards, there is a well defined bed of conglomerates, and south of that a tract of clay, slate and quartzite, and still further inland a tract of hornblende schist and traps, and interspersed at frequent intervals across these were tracts of grey granite, showing that the whole area had been the scene of considerable eruptive action, and most favourable for the formation

of good veins. Two veins were discovered in these contacts, and test pits sunk upon them to depth of 4 to 5 feet, but, unfortunately, the character of the quartz proved to be the same as that over the rest of the Block, going only from $1.50 to $2.00 per ton.

This closed the work, and the men were withdrawn on the 26th of October, and paid off on the 27th.

As to the general result, I may say that I am myself greatly surprised and disappointed. So far as the geological features of this Block are concerned, it was a good and promising field for exploration, and the venture, from a business standpoint, was a fair and legitimate one, and as a resident of the district for a considerable time, and intimately acquainted with the prevailing conditions, I considered that the company had obtained a very valuable concession, and that the chances of success were very bright indeed. The trouble has been, not our failure to find veins, but that the whole area seems to contain veins of a somewhat homogeneous nature and uniformly low in value.

That the men employed were honest and faithful I have no doubt, every man in whom I had not implicit confidence was speedily removed. Various checks on their work were devised, and the ground also gone over as far as possible by my assistant and myself after the men had been over it, and I never found any part that had been neglected. Every single acre was carefully examined by itself.

In addition to the bonus offered, under authority of the Company, of $50.00, I also offered a bonus of $100.00 myself personally, and a promise of permanent employment to any man finding a good permanent paying vein, and I know the men worked earnestly and diligently to earn these rewards.

It has been a most unpleasant season on account of the frequency of storms of rain and wind.

The greater part of the outfit was placed in the log camp on M.H. 42 at the shaft, and the place securely boarded up. I did not think it necessary to incur the expense of leaving a man there to watch it, as there is no one I know of working near there now. The hoist and boiler were put in good shape and well covered from the weather, and the pipes were stored in camp. The pump and hoist are in perfect working condition and as good as new. The Diamond Drill is a present at the Mikado Mine, as I allowed them to have it to bore a hole after I got through, they supplying their own carbon and blank bits. It will be safer there than where we were using it last. It is in perfect order and a first-class machine.

I have bored altogether nearly 3,000 feet of this exceptionally hard rock with it, and had only about $900.00 worth of carbon altogether, so that though the carbon is practically all used up we have saved more than the price of the machine on the amount of work done. The last hole bored cost only 75 cents per foot. The contract price for such work is three dollars per foot. The canoes were brought into town and stored away. They are pretty well used up as they have done a great deal of heavy work. The tents are too about gone after two seasons of constant use. Such tools as axes, picks and grubhoes are practically worn out. However, all that were of any service were stored away.

To have brought the outfit to town I would have to pay about $6.00 to $7.00 per month for storage, besides the expense of bringing it in, so it was better to leave it there where it can be got whenever wanted.

I have taken an inventory of all the stuff and will fill it out as soon as I have the time. While protecting the Company's interest to the best of my ability I have also been able to avoid litigation of any kind and so far as I know, have succeeded in closing up all outstanding accounts in a satisfactory manner.

I enclose herewith Accounts and Vouchers up to the 31st October, and I do not know of any claim unsettled.

There has been expended altogether on the exploration of this Block by me the sum of $24,979 85.....including the purchase price of the Diamond Drill and hoisting machinery, both of which are in good order. From this amount is to be deducted the sum of $166 00 to be paid by the Mikado Gold Mining Company, for a hole bored on their property last spring, also the present value of the outfit which is not large, say $200.00. Placing the present value of tools and plant, including drill and hoisting

engine, at $2,500.00, leaves a net sum of $22,313.85.....(or say £4,500) expended, amounting to an average approximately of $1.25 per acre, which, considering that the surface was covered with brush, and that every acre was carefully examined, and considering the large amount of work done in stripping, sinking test pits, shafts and diamond drill bore holes, cost of management and transportation, is certainly a most moderate sum, and I feel sure will prove satisfactory to your Directors.

As pointed out previously, it is absolutely impossible for any man to say that there is not in the block good payable veins yet, but, as they do not show on the surface in any place, and the cost of finding them would be perhaps more than they are worth, I do not feel like taking the responsibility of advising that any more work be done, as I feel sure that other tracts of land can be secured either from the Government on the same terms, or else good veins purchased at moderate prices from private individuals.

There are many openings here for the investment of capital, which will pay large dividends in a very short period, and I should greatly regret seeing the Company withdraw without getting something good. I consider that this venture, though so far it has not proved a success, was a fair and reasonable one, and one that any man might properly have gone into; the ground was favourable, the situation was favourable, and all the conditions promising; but, unfortunately, the ore proved of too low a grade, a fact which no man could have foretold would be the case—with all the veins, at least. I still think the district is all right, and would strongly recommend that your Company either endeavour to secure a property already discovered, or else ask the Government of Ontario for another block, and I am sure that, in view of the honourable business-like manner in which the Company have dealt with these blocks, and their endeavour to open up new veins, popular opinion will support the Administration in granting you fresh tracts of land, and the Government might reasonably do this, and I am inclined to believe would do so, upon proper representation of the matter being made at Toronto.

(Signed) Thos. R. Deacon,
Manager.

Memo. for the Commissioner of Crown Lands.

In the memorandum by the undersigned respecting the application of the Ontario Gold Concessions, Limited, for refund of the sum of $20,000 deposited to the credit of the Commissioner of Crown Lands by way of security for carrying out the terms and conditions of the license of occupation, the Commissioner was advised "that the obligations of the licensees have been discharged, that they are entitled to be relieved from all further requirements for exploration and development of the lands, and that they have an equitable claim for a refund of the money deposited with the Commissioner of Crown Lands as security for carrying out the terms and conditions of the license of occupation when they have verified their statements of expenditure for exploration and development upon the concessions by formal evidence to the satisfaction of the Commissioner."

The undersigned are of opinion that such statements of expenditure should be made for block "A" and block "B" separately, that they should be verified by affidavits of the managers of exploration work, and that they should set forth expenditure under the following heads, viz,

1. Management.
2. Engineering and Surveying.
3. Prospecting and Development.
4. Supplies and Machinery.
5. Miscellaneous.

If so desired by the President or other officer of The Ontario Gold Concessions, Limited, one-half the amount on deposit might be refunded now, and the balance when the statements of expenditure have been approved by the Commissioner of Crown Lands.

(Signed) Aubrey White,
4th May, 1899. (Signed) A. Blue.

Approved:

(Signed.) J. M. G.,
C. C. L.

MEMO. BY THE ATTORNEY-GENERAL.

To His Honor the Lieutenant-Governor :

Referring to the annexed report of George Kennedy, law clerk of the Crown Lands Department, and of George B. Kirkpatrick, Director of Surveys, respecting the license of occupation to W. T. Engledue, James Reid and others of blocks of land "A" and "B" in the District of Rainy River, which license of occupation bears date the 17th day of February, 1897, the undersigned approves thereof and respectfully recommends that an Order-in-Council be passed to repay the balance of the said deposit, namely : $19,042.50 to the Ontario Gold Concessions, Limited.

Mr. Reid being present claims that it was understood that interest on the deposit should be paid to the company, but as the papers are silent upon the subject and as the undersigned has no personal information other than that obtained from the papers, it is respectfully recommended that the question of interest stand for further consideration until the return of the Commissioner of Crown Lands.

The undersigned further recommends that a cheque do issue in favor of the said company for the said sum of $19,042.50, the said deposit having been paid into the account of the Consolidated Revenue.

The undersigned further recommends that the said license of occupation be revoked and cancelled.

(Sgd.) A S. HARDY,
Attorney General.

Toronto, 6th June, 1898.

ORDER-IN-COUNCIL APPROVED BY HIS HONOR THE LIEUTENANT-GOVERNOR, 7TH JUNE, A.D. 1889.

The Committee of Council have had under consideration the annexed report of the Honorable the Attorney-General, dated 6th June, 1889, respecting the license of occupation granted to W. T. Engledue, James Reid and others of blocks of land "A" and "B" in the District of Rainy River, which license of occupation bears date the 17th day of February, 1887, and advise that the recommendations therein contained be concurred in and acted on.

Certified,
T. LONSDALE CAPREOL,
Assistant Clerk Executive Council.

LETTER TO JAMES REID, ESQ.

DEAR SIR,—

In accordance with a memorandum approved by the Honorable, the Commissioner of Crown Lands, I beg to inform you that the sum of twenty thousand dollars deposited to the credit of the Commissioner of Crown Lands by way of security for carrying out the terms and conditions of the license of occupation held by the Ontario Gold Concessions, Limited, will be refunded upon receipt of statements of expenditure to be made as follows:—

For block "A" and block "B" separately statements to be verified by affidavits of the managers of exploration work, (or by the Treasurer of the fund or other person duly qualified and authorized) setting forth the expenditure under the following heads, namely :—

1. Management.
2. Engineering and Surveying.
3. Prospecting and Development.
4. Supplies and Machinery.
5. Miscellaneous.

A surrender of the concessions to the Government is in course of preparation and will be forwarded to your address here or at Rat Portage for execution on behalf of your company.

Yours very truly,
A. BLUE,
Director.

May 9th, 1899.
JAMES REID, ESQ.,
Queen's Hotel,
Toronto, Ont.

STATEMENT OF EXPENDITURE FOR EXPLORATION SERVICE.

Ledger Accounts.

Name.	Total.	Wages.	Stores, provisions, &c.	Printing, stationery, &c.	Transportation	Tools and plant.	Salaries.	General expenses.	Development work by contract
	$ c.	$ c.	$ c.	$ c.	$ c.	$ c.	$ c.	$ c	$ c.
Block A.....	14,749 87	6,732 04	2,112 70	98 25	1,066 49	1,412 71	2,482 40	845 28	.....
Block B	25,646 61	9,500 92	2,985 94	35 07	749 60	5,027 06	3,841 00	489 66	3,017 36
Total	40,396 48	16,232 96	5,098 64	133 32	1,816 09	6,439 77	6,323 40	1,334 94	3,017 36

I, William Anderson Weir, of the Town of Rat Portage in the District of Rainy River, Bank Manager, do solemnly declare that I have knowledge of the expenditure of the Ontario Gold Concessions, Limited, in connection with its work on Blocks "A" and "B" in the District of Rainy River through having examined the monthly statements of disbursements of the managers thereof as the work progressed, and I say that to the best of my knowledge, information and belief the above is a true and correct statement of such expenditure.

And I make this solemn declaration conscientiously believing the same to be true and knowing it to be of the same force and effect as if made under oath and by virtue of the Canada Evidence Act 1893.

Declared before me at Rat Portage in the District of Rainy River the 19th day of May, 1899.

W. A. WEIR.

H. LANGFORD,
A Commissioner, &c.,

(No 81).

Report of the Attorney-General upon the indebtedness of the Townships of Dunwich and Aldborough in respect of certain drainage works. Presented to the Legislature, 31st March, 1899. *Not printed.*

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